

CONFLICTS IN EARLY MODERN SCOTTISH LETTERS AND LAW-COURTS

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*To my parents,
who were the first to teach me
that disparaging words hurt more
when uttered in front of others*

Abstract

Scottish letters and court-records from the late 16th and early 17th centuries give access to a rich variety of conflicts, ranging from international disputes to everyday spats. This thesis investigates verbal offences reported by correspondents or recorded as legal evidence. Current models of (im)politeness (Culpeper, 2011a, Spencer-Oatey, e.g. 2005), which have rarely been tested on historical data, are synthesized with insights from historical pragmatics. The aims are to create qualitative reconstructions of how participants communicated their period- and situation-specific understandings of verbal offences, and how their expressed perceptions were shaped by private and public dimensions of different contexts. This thesis thus addresses three comparatively understudied aspects of (im)politeness research: historical impoliteness, Scottish (im)politeness, and the examination of private-public aspects of social interactions. Regarding the third point, a multi-dimensional framework is developed for systematic descriptions of private-public dimensions of conflict-situations, remodelling an existing pragmatic approach to news discourse (Landert and Jucker, 2011). Letters are drawn from the *Breadalbane Collection, 1548-1583* (Dawson, 2004/2007) and James VI's correspondence. Court-records are selected from editions of Justice Court papers and Kirk Session minutes.

Case studies reveal that the vocabulary and discursive structure of conflict-narratives in letters is largely distinct from reported offences in court-records. Differences are presumably influenced by the genres' contrasting contextual functions of more private versus more public conflict-settlement. However, the language of conflict-letters and court-records also shows shared moral and religious dimensions. Furthermore, verbal offences in the investigated letters and lawsuits refer primarily to collective identity-aspects of group-membership and social roles, while purely individual qualities appear to have been marginal. The perceived gravity of offence could be intensified by participants' notions of private and public in multiple ways. Concerning comparisons within genres, the Scottish king's epistolary language in conflicts shows similarities to that of Scottish upper-rank correspondents; nevertheless, it also has some distinct features reflecting James VI's understanding of his royal status. Criminal and ecclesiastical court-records had largely different, yet semantically related, inventories of verbal offence terms.

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List of abbreviations

BL	British Library
BreadC	<i>Breadabane Collection, 1548-1583</i>
CED	<i>Corpus of English Dialogues 1560-1560</i>
CEEC	<i>Corpus of Early English Correspondence</i>
CoPr	Cooperative Principle (Grice, 1989)
CP	<i>Cecil Papers</i>
CSC	<i>Corpus of Scottish Correspondence</i>
DOST	<i>Dictionary of the Older Scottish Tongue</i>
EModE	Early Modern English
ESTC	English Short Title Catalogue
ETED	<i>Electronic Text Edition of Depositions 1560-1760</i>
GNV	Geneva Bible, 1599 Version
HCOS	<i>Helsinki Corpus of Older Scots</i>
HCET	<i>Helsinki Corpus of English Texts</i>
HTOED	<i>Historical Thesaurus of the OED</i>
JC	Justice Court
KS	Kirk Session(s)
LC	Lexical cluster (Section 7.6.2)
LModE	Late Modern English
LPL	Lambeth Palace Library
ME	Middle English
NRS	National Records of Scotland
NRSA	Narrative report of speech-acts (Section 7.4.3)
ODNB	<i>Oxford Dictionary of National Biography</i>
OE	Old English
OED	<i>Oxford English Dictionary</i>
<i>PitcairnT</i>	<i>Pitcairn's Criminal Trials in Scotland from 1488 to 1624</i>
PBC	Perth Burgh Court
PC	Privy Council
SJC	<i>Selected Justiciary Cases</i>
SND	<i>Scottish National Dictionary</i>

1

Introduction

1.1. Conflicts

Since ancient times, conflicts have been an essential part of human experience (Carneiro et al., 2014: 11). Conflicts differ in kind, e.g. armed battles or a person's mental struggles caused by "incompatible wishes" (OED), and are approached from multiple angles across disciplines. Of particular interest to this study are verbal aspects of interpersonal conflicts. Interpersonal conflicts are broadly defined as situations in which two or more people engage in some "active disagreement", ranging from international disputes to everyday spats (*Cambridge Dictionary Online*, Carneiro et al., 2014: 12). At the heart of any interpersonal conflict are "incompatibilities" of "values", "goals" and "interests", expressed through diverse forms of "verbal or non-verbal opposition" (Carneiro et al., 2014: 12, Kakavá, 2001: 650, Putnam, 2006: 5). The verbal dimension of conflicts is part and parcel of linguistic (im)politeness¹, the field of study preoccupied with the use of language to avoid or "cause offence" (Culpeper, 2011a: 5, Leech, 1983: 104-105). Verbal aspects of conflicts have rarely been studied in great depth (Culpeper, 2011a: 5).²

1.2. Aims and scope

This study intends to advance the linguistic analysis of interpersonal conflicts by focusing on verbal offences and their private-public dimensions in Scottish correspondence and court-records of the late 16th and early 17th centuries. Although scholarly interests in impoliteness have increased, antagonistic interactions in historical British contexts have received comparatively little attention, while (im)politeness aspects in Scots before 1700 have been almost totally ignored (see Chapter 2). Leitner's (2013) study of address pronouns in 16th-/17th-century Scottish and Northern English court-records exemplifies the value of Scottish data to complement our knowledge of the history of linguistic features associated with (im)politeness in Britain. Moreover, several scholars emphasise the influence of private and public aspects of social interactions on participants' behaviours and

¹ (Im)politeness is used as a shorthand term for politeness and impoliteness. The abbreviation is subject to misinterpretations (Mills, 2011: 43, fn25). It may therefore be noted that the bracketed prefix does not imply that impoliteness is a subordinate term to politeness. It is merely used as a convenience to refer to two related, yet distinct, concepts.

² Among the exceptions are Bousfield's (2008) and Culpeper's (2011) monographs (see Chapter 2).

their perceptions of behaviour, e.g. third-party presence in communicative situations or personal aspects of conversational topics (e.g. Mueller Dobs and Garcés-Conejos Blitvich, 2013, Lê, 2005, Nevala, 2004c). However, comparatively few (im)politeness studies investigate private-public dimensions, let alone develop a complete apparatus for describing its multiple aspects (see Chapter 2).

The aims of this study are theoretical, methodological and descriptive. Theoretically, a framework is created to account systematically for various private and public aspects of conflict-situations. Furthermore, this study adopts Culpeper's (2011a), promising impoliteness model designed for modern data, which has rarely been tested on historical sources. The methods of this model are adapted for historical analyses. Qualitative descriptions of verbal offences in Scottish letters and court-records are guided by the following research questions:

- How did participants in the investigated period and genres³ communicate their perceptions of verbal offences?
- What do these metapragmatic comments reveal about period- and situation-specific understandings of the harmful effects of language?
- How are understandings of offence, and the language used to talk about offence, shaped by different contexts, especially by varying degrees of private and public?

To enhance the descriptive aims, texts have been selected to represent different shades of private-public dimensions in early modern Scottish society, permitting analysis of these contextual factors of conflict-situations on a sliding scale. Letters represent a more private type of conflict-negotiation than legal interventions of law-courts. Moreover, the investigated letters from the *Breadalbane Collection* and James VI give access to conflicts on a wide spectrum from bedchamber quarrels over internal clan disputes to international conflicts. Justice Court and Kirk Session records offer insights into conflicts tried by the supreme criminal court and local church-courts. The selected samples are thus apt for examining verbal offences in different contexts. Additionally, the two genres afford sociological contrasts: letter-writing was mainly restricted to upper-rank participants, while court-records also give access to conflicts among middle- and lower-rank people.⁴

³ Following Jucker and Taavitsainen (2013: 147), genres are defined as “cultural products and social forms of communication, conditioned by their time and social setting.”

⁴ See Chapters 4-9 for further discussion of the issues mentioned in this paragraph.

In line with the focus on verbal aspects, I have only considered conflicts in which language played a key role in giving offence, for example, blasphemous utterances such as *The dewill draw ye comm\union out at yon ars* ‘The devil draw the communion out of yonder arse’ (MS CH2/316/1/1, p.307). People’s perceptions of behaviour in interactions are also influenced by paralinguistic features, e.g. prosody, and non-verbal aspects, e.g. gestures (Culpeper, 2011b, c: 408, Kádár and Haugh, 2013: 129-133). Non-verbal aspects are taken into account as far as they are combined with verbal aspects, and as far as they are reported in historical texts. Paralinguistic features of spoken conversations, however, have not been preserved for periods before the invention of audio-recording (Culpeper and Kytö, 2010: 2, see Sections 1.4 and 1.5). Additionally, I had to exclude cases where I could not identify the cause of offence because of the vagueness of comments or missing information due to manuscript damage.

The reasons for concentrating on the late 16th and early 17th centuries are threefold. Historically, the Scottish Reformation around 1560 and the following decades are a time of almost constant turmoil, providing a colourful canvas for studying conflicts at any level of interpersonal interaction (see Section 1.3). The lower border of the investigated period has been set to the late 1550s, because the availability of suitable material for court-records tends to increase from this date onwards.⁵ Moreover, the time-span is limited because of the selected approach. Richly contextualised qualitative analysis, corresponding to recently proposed objectives of historical (im)politeness research, is only manageable for a relatively small amount of data (Bax and Kádár, 2011: 5).⁶

1.3. Scotland in the late 16th and early 17th centuries

Early modern Scotland was a pre-industrial country with few large urban centres (Lynch, 1992: 173). Most people lived in rural areas, ruled by feudal landowners (Whyte, 1997: 3). Hierarchies were still firmly established, although mobility between social ranks was gradually increasing (Whyte, 1997).⁷ However, inflation in the late 16th century also widened the gulf between the rich and the poor. Scotland in general was “in most respects still

⁵ See Culpeper and Kytö (2010: 50) for similar observations regarding the scantiness of English court-records before the mid-16th century. Suitability specifically refers to the purposes of this study, i.e. evidence for verbal offences. Scottish court-records have been preserved from before the 1550s, and these sources have been considered in pragmatic and variationist studies (e.g. Kopaczyk, 2013, Meurman-Solin, 1993).

⁶ For more details on the approach taken in this study, see Sections 1.4 and 3.7. For the precise time-spans of the letter and court-records samples, see Chapters 4 and 7.

⁷ See Chapter 3 for more details.

a poor, underdeveloped country” (Lynch, 1992: 177, 182). In response to economic conditions, collective ideologies seem to have been predominant. Individual aims had to be subordinated to the welfare of kin, community and country (Cathcart, 2006: 216, Dawson, 1999: 212, MacInnes, 1972: 366, Todd, 2002: 173-174). Moreover, people were exposed to the “vagaries” of everyday life (Lynch, 1992: 185): illness and plagues could strike suddenly and harvest failures were frequent. Explanations of the causes of death and natural disasters were rooted in religious and folk beliefs rather than science (Lynch, 1992: 185, Walker, 1995: 477).

Politically, it was an age of turbulence. The Reformation of 1559-60 was a “watershed” event in Scottish history (Whyte, 1997: 48). A decisive factor for its success was the support of Scottish nobles, indicating the political dimension beyond the religious rejection of Catholicism (Dawson, 1999: 214). The influence of the church on ordinary people’s lives increased after the Reformation (Whyte, 1997: 49, see also Chapter 7).

The history of the Reformation is interconnected with the history of Scottish kings and queens. In 1559, Mary of Guise, the mother of Mary Stewart, was replaced as Catholic regent by a provisional government of the Protestant Lords of the Congregation. Mary Stewart returned from France to Scotland in 1561. The Catholic queen made the position of the new Protestant church “deeply uncertain”, although she tried to establish stability in the kingdom without fighting the Protestants (Lynch, 1992: 200, 208-211). Shortly after the death of her second husband, Henry Stewart, in 1567, Mary married James Hepburn, the fourth earl of Bothwell, the suspected murderer of the king consort. The act caused outrage and the queen was forced to abdicate. Mary fled to England, where she was held captive by the Elizabethan court until her execution in 1587. Her son, James VI, was crowned as Protestant king in her place after Mary’s abdication in 1567. Both Mary and James VI succeeded to the Scottish throne as infants and had regents governing the kingdom on their behalf until they reached adulthood. Out of the four regents of James VI’s minority, two were assassinated and one executed, which indicates the political instability at the time. The assassinations happened during the civil wars, which broke out after Mary’s deposition. Between 1568 and 1573, supporters of the Catholic queen fought against supporters of the Protestant prince, James VI. The wars ended with a victory for the Protestant forces (Lynch, 1992: 203-230).

During the reign of James VI, Anglo-Scottish relations changed dramatically. From the 1540s onwards, there had been “recurrent pressure for a union of Scotland with England” (Lynch, 1992: 184). Efforts increased in the 1580s, when the English queen and the Scottish king formed a Protestant alliance against the predominance of Catholic kingdoms in Europe (see Chapter 5). In the Union of Crowns in 1603, James VI succeeded Elizabeth I to the English throne. His court moved to London, and Scotland henceforth had an absent monarch. In 1625, James VI’s son, Charles I, became king over England and Scotland. Upon his defeat in the English Civil War, Charles I was tried for treason and beheaded in 1649. While England abolished monarchy, Scotland proclaimed Charles’s son as Charles II (Lynch, 1992: 239, 243, 248).

Governance in early modern Scotland was localised rather than centralised. The influence of centralised government expanded under James VI. Nevertheless, decentralisation remained characteristic throughout the 17th century (Whyte, 1995: 210, 1997: 69, 84).

Decentralisation affected the Highlands more than the Lowlands. The division between Highlands and Lowlands is a construct of the late medieval and early modern period with a long-standing tradition of portraying Highlanders as lawless and uncivilised (Cathcart, 2006: 32-38, Dawson, 1998: 259, 283-285). In reality, divisions were more pronounced between east and west than between north and south (Whyte, 1997: 96). Moreover, social values of Highland clan society were in many respects similar to Lowland kin-groups (Dawson, 1998: 290). Feuds and raiding were as endemic in the 16th-century Borders as they were in the Highlands (Whyte, 1997: 79). With respect to governance, however, the Borders received more attention from centre-based powers than the Highlands. The forfeiture of the Lordship of the Isles in 1493 had marked the termination of the vast power base of the MacDonalds in the Western Highlands and Islands. It caused instability in the region, with clans fighting each other for territories (Dawson, 1998: 278, 295, Keay and Keay, 2000: 242). Until the early 17th century, the crown hardly intervened directly in Highland affairs, and instead, granted authority to local magnates to rule on their behalf (Whyte, 1997: 78-79, 102-103). As a result of government efforts in the south, feuding disappeared in the early 17th century, while it continued in the Highlands (Whyte, 1997: 95).

Decentralisation is also evident in conflict-settlement. Feuds as a private system of conflict-settlement by kin, friends, and neighbours were widespread, and less violent than pre-

viously claimed. In the 16th century, the legal system became more centralised and professional. As a result, conflicts were more frequently negotiated in courtrooms from the early 17th century onwards, at least in the central and southern parts of Scotland (Whyte, 1997: 74, 78, 218).

Concerning the languages of early modern Scotland, this study examines verbal conflicts in Scots. By 1500, Scots – a descendant of the Old Northumbrian dialect of Old English (OE) – had replaced Gaelic in most of Southern and Central Scotland and along the east coast up to the Moray Firth. The north and west were Gaelic-speaking areas, except for Caithness, Orkney and Shetlands, where people spoke Norn, i.e. a descendant of Old Norse (Macafee, 2002: xxxiii, xxxix). Language boundaries between Gaelic, Norn and Scots in 1500 are shown in Macafee (2002: xlvii). Because of close political relations with France, French was still used among royals and nobility (Smith, 2012b: 9). As a consequence of the Reformation, Scots replaced Latin in liturgy. As the language of politics, administration and literature, Latin had already been gradually supplanted by Scots in the 14th and 15th centuries (Jones, 2002: 97, Murison, 1979: 8). However, Latin was still “the language of learning” (Smith, 2012b: 42). Many legal expressions were derived from Latin, and certain official papers continued to be written partly or entirely in Latin (Smith, 2012b: 9).

The investigated time-span falls into the period of Late Middle Scots, i.e. the Older Scots variety between 1550 and 1700 (Macafee, 2002: xxxiv). It is the period following the “heyday” of Scots, when Scots had developed into “a full national language” (Murison, 1979: 8-9). From the mid-16th century onward, Scots underwent increasing Anglicisation, caused by various factors (see Devitt, 1989, Murison, 1979). The demise of Scots as a fully functional language was sealed when English became “the official language” in all public domains with the Parliamentary Union in 1707 (Murison, 1979: 9).

1.4. Theoretical and methodological framework

This study is embedded in the field of historical pragmatics. Historical pragmatics examines the use of language for communicative purposes in earlier periods, and how features of communication developed across time (Jacobs and Jucker, 1995: 6, Jucker and Taavitsainen, 2013: xi). Compared to other branches of linguistics, historical pragmatics is a fairly new field (Taavitsainen and Jucker, 2010: 15). The edited volume by Jucker (1995), which introduces the term, is considered a landmark publication. Since then the

field has launched its own journal and produced its first handbook and textbook (Jucker and Taavitsainen, 2010, 2013).

Historical pragmatics intersects with other fields of linguistic research, in particular with pragmatics, historical sociolinguistics and stylistics (Jucker and Taavitsainen, 2013: xi). Like pragmatics, historical pragmatics investigates the meaning of utterances in communicative contexts (see Leech, 1983: 6). The notion of context refers to multiple interrelated levels: “the immediate surroundings” of an instance of language use, the position of a text within the genres and registers of its time, and the wider socio-historical context (Jucker and Taavitsainen, 2013: 32). Shared interests with historical sociolinguistics are the relations between language and context in the earlier stages of a language and language change (Jucker and Taavitsainen, 2013: 2). Overlaps with stylistics pertain to how language is used to create certain effects.

Like historical linguistics, historical pragmatics faces challenges of data availability and quality. Although preserved texts become more frequent from the early modern period onwards, researchers have “no direct access” to spoken language before the invention of speech-recording technology (Taavitsainen and Fitzmaurice, 2007: 11). The resulting reliance on written sources is commonly referred to as the “bad data problem” (Labov, 1994: 11, Taavitsainen and Jucker, 2010: 7). Different solutions have been proposed. One aim is to find speech-related texts, i.e. written material that is as close to speech as possible (Taavitsainen and Fitzmaurice, 2007: 18). For example, witness testimonies in lawsuits may contain reports of direct speech of earlier conversations in everyday contexts (Kytö et al., 2011: 1). Alternatively, “written language should also be studied in its own right” (Jucker and Taavitsainen, 2013: 25). After all, written texts such as letters are also acts of communication (Taavitsainen and Jucker, 2010: 7). Taavitsainen and Jucker (2008a: 211) convincingly argue that any kind of language use, including spontaneous face-to-face conversations, occurs in a specific context and is shaped by “different constraints”.

The approach in this study is pragmaphilological, one of the main approaches in historical pragmatics. Unlike diachronic pragmatics, which investigates changes in the use of pragmatic features across time, pragmaphilology examines language use at a specific point in the past (Jacobs and Jucker, 1995: 11-13, Taavitsainen and Fitzmaurice, 2007: 14-15). Pragmaphilology combines pragmatic frameworks with philological methods. Aspects of language use are richly contextualised by describing the various aspects of how the inves-

tigated historical texts were produced, received and transmitted within their socio-historical contexts (Jucker and Taavitsainen, 2013: 34-36). Philology addresses the methodological issue of the time-gap between researchers and historical data. Researchers need to reconstruct the specific textual histories of their sources to make adequate interpretations. Gaps and uncertainties will nevertheless remain, especially for distant periods (Taavitsainen and Fitzmaurice, 2007: 11, 20-22). According to Smith (forthcoming), the reintegration of philology in linguistics through historical pragmatics “might be termed the ‘new, new philology’” as the application of philological methods is now embedded in linguistic theory.⁸ Pragmaphilology is considered the most suitable approach for the present pioneering application of a modern impoliteness model for historical sources that have received no or comparatively little attention from linguists (see Section 3.7).

(Im)politeness research is a second cornerstone of the present framework. In comparison with existing definitions of impoliteness, this study investigates verbal offences from a broader perspective, but draws on the same concepts (see Chapters 2-3). Historical politeness has recently become a major topic in historical pragmatics (see Section 2.6). Modern (im)politeness theories (Section 2.2) ignore the historical dimension or do not systematically incorporate it (see Kádár and Culpeper, 2010: 11, Eelen, 2001: 201-202). Historical (im)politeness research, however, is an “important ‘testing ground’” for the adequacy of modern (im)politeness theories (Bax and Kádár, 2011: 13, Kádár and Culpeper, 2010: 13, Kádár and Haugh, 2013: 159). The main research objectives consist of reconstructing period-specific understandings of (im)politeness, accounting for diachronic changes in linguistic forms and notions of social conduct and offence, and developing data-sensitive applications of theoretical concepts (Bax and Kádár, 2011: 12, Kádár and Culpeper, 2010: 15). Contextualised understandings should be obtained through comments made by people in the past that offer insight into the notions *they* had of (im)politeness. Communicative behaviour that meets interlocutors’ expectations of social conduct often passes “unnoticed” (Locher and Watts, 2005: 11). Breaches of social conduct are therefore a valuable analytical focus because they encourage responses that shed light on period-specific notions of (im)politeness (see Kádár and Haugh, 2013: 148); for example, a correspondent might mention that his recipient’s previous letter had caused offence to their superior: *and me lord was sumpairt crabit yat ze wraite | safar as ze deide* ‘And my Lord was somewhat cross that you wrote as far as you did’ (MS NRS GD112/39/6/31).

⁸ The “new, new philology” is thus distinguished from traditional philology, which operated without theoretical frameworks, and from the new philology of the 20th century, which combined philological methods with literary theories (Smith, forthcoming, Taavitsainen and Fitzmaurice, 2007: 22-23).

Historical (im)politeness research is part of historical sociopragmatics. The sociopragmatic view of historical pragmatics is associated with European research traditions (Taavitsainen and Jucker, 2010: 5-6). The emphasis is on the interplay between language use in specific situations and the wider socio-historical context. Attention is paid to how certain contexts evoke specific conditions of social interaction, and how these conditions are “culturally embedded” (Culpeper, 2010: 87).

1.5. Why correspondence and court-records?

Correspondence and court-records have been chosen as primary sources for this investigation for several reasons. As shown by dedicated handbook chapters, both genres have gained relevance in historical pragmatics as valuable sources for authentic language use (Doty, 2010, Pallander-Collin, 2010). Authentic does not necessarily mean accurate or truthful. Testimonies in lawsuits, for example, tended not to be verbatim recordings of witnesses’ reports, but were usually reduced to “preserve the substance” of earlier conversations (Culpeper and Kytö, 2010: 60). Moreover, the contents of reported conversations could be distorted or invented (see Chapter 7). Authenticity is essentially defined by the textual function of communicating “real-life” contents, at least allegedly (Culpeper and Kytö, 2010: 17, 59). For this study, non-fictional sources are preferred over fictional texts to gain insights into real-life conflicts. Therefore, fictional material, such as William Dunbar’s flyting poetry or David Lindsay’s (1602 [1552]) *Ane Pleasant Satyre of the Thrie Estaitis*, has not been considered, although it is certainly worth investigating in “its own right” (Jucker and Taavitsainen, 2013: 13).

Letters and court-records represent different types of written and spoken communication. Koch and Oesterreicher’s (1985) model, which has become widely acknowledged in historical pragmatics, conceptualises the distinction between spoken and written language along two dimensions (Jucker and Taavitsainen, 2013: 20-21, Taavitsainen and Fitzmaurice, 2007: 19). Speech and writing are distinguished by their physical conditions of being realised either in phonic or graphic code. Spoken and written further refer to degrees of linguistic immediacy and distance, i.e. scalar differences of more spontaneous or colloquial versus more formal styles of language use. The two dimensions can intersect in various ways. Personal letters, for instance, are “[g]enuinely written” texts, and thus graphic, but have high degrees of immediacy, and are therefore considered to be “*speech-like*” (Culpeper and Kytö, 2010: 17, original emphasis, Jucker and Taavitsainen, 2013: 23). By

contrast, legal texts are also graphic, but exemplify distant language use because of their formulaic style (Jucker and Taavitsainen, 2013: 21).

Koch and Oesterreicher's (1985) two-dimensional model affords fine-grained distinctions between spoken and written language; however, the graphic/phonic dichotomy seems less applicable to early modern texts. Syme (2012: 60-64) argues that the boundaries between speech and writing in early modern England were fluid rather than dichotomous. Written recordings of witness testimonies, for example, were not regarded as evidence per se. Although pre-trial records replaced witnesses' oral reports, it was the reading out of the written documents during the trial which constituted the legal evidence. Thus, written testimonies only served as transmission of evidence "from one moment of speech to another" (Syme, 2012: 60). Culpeper and Kytö's (2010) alternative approach to speech-relatedness offers additional categories to describe the complex relationship between speech and writing in historical texts. Next to the abovementioned concept of speech-likeness, Culpeper and Kytö (2010: 17, original emphasis) propose the terms "*speech-based*" and "*speech-purposed*". Speech-based refers to representations of spoken communication "based on an actual 'real-life' speech event", for example, cited utterances of earlier face-to-face interactions in witness testimonies (Culpeper and Kytö, 2010: 17). Speech-purposed texts start out in graphic form, but are intended for oral performance, e.g. drama. Crossovers between these three categories are possible (see Culpeper and Kytö, 2010: 17).

1.6. Editorial principles

I have drawn citations of corpus examples in this study from different sources and verified them against surviving manuscripts. Extant transcripts of online and print editions have been modified to represent more closely the originals' language. Consulted editions differed in the extent of alterations of the historical texts, and therefore required varying degrees of re-transcription (see Chapters 4 and 7).

Editing principles for corpus examples mostly follow Smith's (2012b: 71-74) transcription policy. Spelling and punctuation are transcribed as in the manuscripts with the following exceptions: while the obsolete letter-form *ȝ* is used for the letter *yogh*, the letter *thorn* is rendered as *y* to represent the similarity to letter-forms in the selected source texts. The various manuscript-forms for *s* are replaced by modern *s*. Likewise, the first-person singular pronoun is always transcribed as *I* (see Smith, 2012b: 72 for discussion of these edito-

rial conventions). Superscript and supplied letters are lowered and rendered in italic, albeit the distinction disappears in embedded italicised examples. Word-final flourishes with apparently merely ornamental purposes are omitted. Uncertain readings and illegible material, e.g. due to manuscript damage, are indicated by square brackets, e.g. [illegible]. The Tironian mark for Latin *et* is transcribed by the ampersand (&). Changes in lineation are indicated by a vertical bar (|). Scribal insertions are marked by slashes, e.g. \her/. Unlike Smith (2012b: 72), I represent deletions by strikethrough or, for illegible deletions, by <deletion>, and marginalia by asterisks, e.g. *article*. Bold script is used to highlight portions of text for my emphasis. Modern English translations of cited examples are based on the *Oxford English Dictionary* (OED), the *Dictionary of the Older Scottish Tongue* (DOST), and Dawson's (1997) glosses. Examples of James VI's letters are not translated if Modern English transcripts are available (see Appendix 2). Exceptions are made for James VI's Latin phrases, which are derived from Akrigg's (1984) annotations. Manuscript references are provided for all manuscript citations.

1.7. Outline of this study

This study consists of a theoretical and two analytical parts. In the theoretical part, the research context (Chapter 2) and the theoretical and methodological framework are described (Chapter 3). The first analytical part is dedicated to conflicts in correspondence. Chapter 4 introduces the genre and socio-historical context of letter-writing in 16th-century Scotland, and the correspondence sub-corpora.⁹ Subsequent analyses compare conflict-narratives and their private-public aspects in a Highland letter-writing network with correspondence of James VI (Chapters 5-6). The second analytical part discusses conflicts brought before law-courts. Chapter 7 offers background information on the recording of verbal offences at the Justice Court and Kirk Sessions, and describes the selected primary sources and their textual histories. Chapters 8-9 examine the language of verbal offences and private-public dimensions of conflicts in criminal and ecclesiastical court-records. The two analytical parts are parallel in their overall research questions and methodology. However, because of genre-specific features of conflict-narratives, case studies of correspondence and court-records also vary in their elaboration of topics and application of analytic tools. Differ-

⁹ In this study, the term *corpus* refers to relatively small collections of source texts. Although the term tends to be reserved for large amounts of electronically processed data, philological research is also corpus-based, albeit on a small scale (Jucker, 2009: 1616).

ences are further explained in Chapters 3-4. Finally, I will summarise the main findings and draw conclusions (Chapter 10).

2

Impoliteness past and present, and the dimension of private-public

2.1. Introduction

This chapter outlines the research context of this study. Key topics are linguistic approaches to conflicts, with special attention to historical studies and private-public aspects of communicative contexts. The first part concerns a review of (im)politeness studies, the linguistic field commonly associated with conflictive discourse. Major developments in modern (im)politeness research are described, followed by an evaluation of different definitions of politeness and impoliteness. Sections 2.4-5 discuss key elements and social/situational parameters of (im)politeness. Subsequently, a brief overview is given of the recently emerged subfield of historical (im)politeness.

The second part is dedicated to the distinction between private and public. It will be argued that (im)politeness research does not satisfactorily account for private-public dimensions of communicative contexts and needs to be complemented by ideas developed in other fields. Finally, conclusions are drawn as to which existing approaches to (im)politeness and private-public dimensions provide suitable theoretical foundations for this study.

2.2. Major trends in theorising (im)politeness

Over the last four decades much has been published on linguistic politeness. We are now faced with a highly diversified, continuously developing set of ideas about how we might – or might not – explain the phenomena of politeness and impoliteness in human communication. There seem to be three major trends, which are discussed in turn.¹⁰

The “first attempts at theorising politeness” from the 1970s to 2000 are known as traditional or “first-wave theories” (Culpeper, 2011c, Kádár and Haugh, 2013: 2). The shared aim of first-wave theories was to develop frameworks for abstract descriptions of culture-spanning politeness principles (Kádár and Haugh, 2013: 13, 16). Theories of Lakoff

¹⁰ Similar to Eelen (2001: iii), this selective overview is restricted to modern (im)politeness research in pragmatics and sociolinguistics, while other publications outwith these frameworks are not considered. Discussion is limited to major arguments. For a critical review of theories until the end of the 20th century, see Eelen (2001), for discursive approaches, Mills (2011), and for most recent reviews of the field, Kádár and Haugh (2013) and Leech (2014).

(1973), Brown and Levinson (1987), and Leech (1983) conceptualise politeness as flouting Grice's (1989)¹¹ cooperative principle (henceforth CoPr) "to avoid conflict" (Kádár and Haugh, 2013: 15). Grice (1989: 26-28) postulated the CoPr as a "rough general principle" consisting of a set of maxims to make information exchange "maximally effective". However, interlocutors often do not observe the conversational maxims, and Grice (1989: 28) notes that politeness might be another principle to be added to his model.

Traditional approaches to politeness, particularly Brown and Levinson (1987) and Leech (1983), have been criticised for their theoretical foundations, methods and claims. Reliance on Grice's (1989) CoPr and speech-act¹² theory led to a speaker-biased view of politeness (Eelen, 2001: 96-98, Kádár and Haugh, 2013: 28, Watts, 2003: 203-208). The recipients' role is reduced to inferring, more or less passively, the speakers' intended meanings. This encoding-decoding perspective of communication fails to explain the creation of meaning in interaction as a truly joint activity of all participants involved (Arundale, 2010: 2079, Eelen, 2001: 98).

The focus on speech-acts further resulted in investigating politeness at the utterance-level rather than in the context of the whole discourse (Mills, 2003: 81-83). Context is not entirely ignored by traditional approaches, but is reduced to "basic contextual factors" (Kádár and Haugh, 2013: 37). The reduction gives rise to simplified interpretations of certain speech-acts as inherently more or less polite, whereas context-specific utterance meaning is more complex (Kádár and Haugh, 2013: 23, 28, Mills, 2011: 21).

Moreover, the universality of traditional models has been questioned. Universality is claimed by Lakoff (1973) and Brown and Levinson (1987), albeit not by Leech (2007: 169-170). Because understandings of politeness vary across cultures, it is difficult to design concepts that apply to politeness notions of any language group (Kádár and Haugh, 2013: 20). Traditional politeness theories do not ignore culture-specificity (see Brown and Levinson, 1987: 244-245, Lakoff, 1973: 302, Leech, 1983: 18, 80). However, their general concepts turn out to have a Western bias, e.g. Brown and Levinson's (1987) face (see Section 2.4) and rationality. Rationality is an important explanatory factor for politeness; however, it needs to be complemented with a socio-cultural view to account for contexts in which politeness is determined by social conventions rather than rational choices (Ide, 1989: 242, Leech, 2014: 44, Mills, 2011: 22-23).

¹¹ This publication is a later edition of Grice's "Logic and Conversation" first delivered in 1967.

¹² The term *speech-act* refers to how we use language to perform actions (Austin, 1962).

Additionally, traditional politeness theories are criticised for conflating interlocutors' perspectives with analysts' by imposing scientific notions on the data or by "unquestioningly" adopting everyday notions as theoretical concepts (Eelen, 2001: 30, 76-86). Analysts' evaluations of what is *polite* are implicitly assumed to match recipients' interpretations of speakers' messages (Eelen, 2001: 107). As a consequence, first-wave approaches "become basically predictive" and cannot account for individual variation in politeness understandings (Eelen, 2001: 141-158).

Moreover, impoliteness was largely ignored until the 2000s (Eelen, 2001: 87-88). The problem is not primarily that traditional approaches have only marginally dealt with impoliteness, but that – except for Leech (1983: 104-105) – they are unable "to adequately *explain*" it (Culpeper 2011c: 424, Eelen, 2001: 100, original emphasis). Because social harmony is presupposed as the norm, impoliteness can only be integrated as "some kind of pragmatic failure, a consequence of not doing something, or merely anomalous behaviour, not worthy of consideration" (Culpeper, 2011a: 6). By consequence, first-wave models cannot "adequately account for" discourse contexts in which impolite practices are common (Bousfield, 2008: 55).

Traditional politeness theories have been challenged since the 1980s; however, Eelen's (2001) *Critique of Politeness Theories* is generally considered a turning-point. He is credited with exposing fundamental problems of traditional approaches and initiating the second wave of theorising (im)politeness, or what has become known as the "discursive turn" (Kádár and Haugh, 2013: 36, Mills, 2011: 26, 29). Discursive approaches vary in their theoretical perspectives and methods, but are unified by their emphasis on variation, context, and separating interlocutors' from researchers' understandings of (im)politeness (Kádár and Haugh, 2013: 56, Mills, 2011: 34-35).

The analytical focus after 2000 shifts from production to perception aspects of (im)politeness (Eelen, 2001: 109). Instead of highlighting globally shared concepts, discursive politeness researchers stress that participants negotiate their perceptions of behaviour in specific contexts (Eelen, 2001: 249, Locher and Watts, 2005: 16, Mills, 2003). Recipients are ascribed an active role in co-constructing utterance meaning (Eelen, 2001: 216-218). (Im)politeness is no longer seen as being inherent in certain linguistic forms, but as emerging understandings in interaction (Mills, 2011: 26, 35). Interpretations of (im)politeness become open and tentative in contrast to predictive tendencies of traditional

models (Watts, 2003: 247). Furthermore, discursive approaches construe (im)politeness as an “argumentative social tool”, which is actively shaped and exploited by participants in interaction to reaffirm or challenge the power relations between them (Eelen, 2001: 224-227). For example, to judge someone’s behaviour as *impolite* can be a strategic move to position oneself on a higher level in relation to the other person.

Major contributions of second-wave (im)politeness research are the shift towards more contextualised analysis and a more rigorous distinction between participants’ and analysts’ views. Brown and Levinson (1987: 10) acknowledged the shortcomings of utterance-level analysis; however, discursive (im)politeness researchers have advanced the investigation of politeness in longer stretches of discourse (Kádár and Haugh, 2013: 6, 48, Mills, 2011: 26). Furthermore, distinctions have been drawn between lay-people’s understandings and scientific accounts of (im)politeness, or in Watts et al.’s (1992: 3) terms, between *first-order* and *second-order* politeness. The distinction should permit theoretical explanations of lay-people’s understandings from a critical, detached perspective, avoiding any normative judgements (Eelen, 2001: 43-46).

Discursive approaches have made necessary correctives to traditional politeness theories; however, they have themselves been challenged (see Culpeper, 2011a: 122, Haugh, 2007, Terkourafi, 2005). Watts (2003: 9, 49), Locher (2006: 253, 264) and Mills (2011: 35) reject the need for a universally valid theory of (im)politeness, and instead, promote the description of participants’ negotiations of (im)politeness at the “local” or small-group level.¹³ Micro-level approaches have been criticised for their limited contributions to our understanding of (im)politeness and for their lack of a clear methodology (Haugh, 2007: 302-304, Terkourafi, 2005: 245-246).

According to Kádár and Haugh (2013: 81-105¹⁴), the first-order/second-order distinction needs further differentiation. They redefine first-order politeness as understandings of language users and second-order politeness as understandings of observers. Each of these categories is divided into four viewpoints: user understandings are shaped by being “involved” in ongoing interactions, as participants or “metaparticipants”, i.e. “people whose evaluations of politeness arise through vicariously taking part in the interaction” (Kádár

¹³ Because of their suspicion of “grand theorising”, early discursive approaches have also been called “postmodern” (Culpeper, 2011: 122, Mills, 2011: 28, 34). Unlike his radical followers, Eelen (2001: 252-254) upholds the usefulness of theoretical concepts given that they enable an adequate description of phenomena, without distorting or excluding empirical evidence.

¹⁴ If not stated otherwise, the information in this paragraph is cited from Kádár and Haugh (2013: 81-105).

and Haugh, 2013: 84). Kádár and Haugh (2013: 95-96) reject the previous equation of *emic* with lay-people and *etic* with scientific views in politeness research (see Eelen, 2001: 77-81). Following the view of linguistic anthropology, they apply *emic* and *etic* to lay-people's insider and outsider perspectives. Second-order interpretations and conceptualisations of politeness can be made by lay or scientific observers. Folk notions constitute second-order lay-theories of politeness, as opposed to "scientific-theoretic" conceptualisations derived from systematic analysis of evidence (Kádár and Haugh, 2013: 102). Each of these perspectives should be treated as a distinct viewpoint, shedding more light on different understandings of politeness. While Kádár and Haugh's (2013: 104) argument for a "more nuanced framework" is convincing, the line drawn between metaparticipants and lay-observers might need further clarification. Both are observer roles: Metaparticipants participate indirectly in interaction through observing other participants. It is not clear where exactly metaparticipants' involved observation shifts to the non-involved observation of lay-observers.

The third trend in (im)politeness research moderates radical discursive perspectives, while critically re-integrating first-wave theories. It shows a renewed confidence in developing a "coherent and integrated theoretical framework" (Kádár and Haugh, 2013: 56). Since the focus of this study is on conflicts, the review concentrates on recent approaches that have significantly advanced impoliteness research.

Bousfield's (2008) *Impoliteness in Interaction* is the first monograph on impoliteness (Culpeper, 2011a: 7). Taking Brown and Levinson's (1987) politeness theory and earlier approaches to impoliteness (e.g. Lachenicht, 1980, Austin, 1990, Culpeper, 1996) as starting-points, Bousfield develops a revised model which should – in contrast to previous politeness theories – adequately explain the dynamics of impoliteness in interaction. As he examines impoliteness over longer stretches of spoken conversations, Bousfield (2008: 183-217) considers production aspects (e.g. impoliteness "triggers"), and the reception process, i.e. the various ways in which participants react to impoliteness in interaction.

Culpeper (2011a) goes a decisive step further in developing a comprehensive cognitive and sociopragmatic framework for impoliteness. In contrast to his 1996 impoliteness model, Culpeper's 2011 framework is not based on Brown and Levinson's (1987) politeness theory, but on Spencer-Oatey's (e.g. 2002a, 2005) rapport-management (see Section 2.3.3). Culpeper's (1996, 2011a) approach to impoliteness has changed from a production-

oriented to a perception-oriented view. Whereas Culpeper (1996) defined impoliteness as a set of linguistic strategies aimed at attacking others, his 2011 model considers impoliteness as evaluations of communicative behaviour, following the discursive line in (im)politeness research.¹⁵ Culpeper's (2011a: 14) theorising of the understanding of impoliteness is grounded in psychology, especially in schema theory. The concept of schema "is not dissimilar" to Terkourafi's (2005) frame (Culpeper, 2011a: 195). Both notions refer to people's mental structures for aspects of human life shaped by their experiences, e.g. a schema or frame for social behaviour at family gatherings (Culpeper, 2011a: 14, 196). These mental structures in turn influence people's perceptions and cognitive processing of new information. Participants draw on schemata to (re)construct meaning in interaction (Culpeper, 2011a: 201, 203). Culpeper (2011a: 71-100) pioneers the corpus-based investigation of first-order terms used by lay-people to talk about impoliteness, combining it with a systematic mapping of those terms in conceptual space.

Culpeper (2011a) and Bousfield (2008) have different perspectives regarding the adequacy of Grice's (1989) CoPr as an underlying view of communication. Bousfield (2008: 21-32) challenges previous criticism of the CoPr by stressing that recipients' construction of utterance meaning is probably much more active and variable than viewed by Grice's critics (Bousfield, 2008: 74). In contrast to Bousfield (2008: 32), Culpeper (2008: 19) views the CoPr as inadequate for impoliteness theory because it conceptualises communication as the reconstruction of speaker intentions on the utterance-level, and neglects the complex dynamics of "the co-construction of meanings in the interaction" between participants at discourse level. Nevertheless, Culpeper (2011a: 128, 237-238) occasionally uses the CoPr as a concept to describe certain impoliteness phenomena.

Although (im)politeness has been a vibrant subfield, fundamental challenges remain to be solved. At present, there is still no "fully-fledged theory" of politeness (Leech, 2014: 29). Although Brown and Levinson's (1987) is regarded as the most influential and systematic account, it is "highly problematic" (Kádár and Haugh, 2013: 2, Leech, 2014: 28-29). Culpeper's (2011a) impoliteness model – grounded in acknowledged theories of social cognition and empirical methods – is promising in its comprehensiveness; still, further research is needed to test its validity.

¹⁵ However, Culpeper (2011: 225-233) still considers the strategic use of impoliteness to claim or affirm power over others.

2.3. What is (im)politeness?

Across the different approaches, politeness and impoliteness are either “not explicitly defined at all” or in such diverse ways that “no solid agreement” can be found (Fraser, 2005: 219, Locher and Bousfield, 2008: 3, Watts et al., 1992: 3). The aim of this section is to derive working definitions for impoliteness and politeness from existing research. Definitions are reviewed with respect to their underlying notions and their focus on production or perception aspects of communication since these orientations have implications on conceptualising politeness and impoliteness and the complex relationship between them.¹⁶ Subsequently, the question is addressed of what may be gained by placing (im)politeness in a wider framework.

2.3.1. Underlying notions of (im)politeness

Definitions of politeness and impoliteness reflect different underlying notions across time. Historically, politeness was a means of social distinction (Fitzmaurice, 2000: 197, Watts, 2011: 115-117). According to OED citations (Third Edition, accessed 20 December 2014), “politeness, *n.*” entered the English language around 1627, while “polite, *adj.* and *n.*” already occurs around 1398 (Terkourafi, 2008: 61). In the early modern period, *politeness/polite* was associated with the refined behaviour of higher-rank people, who were educated in how to conduct themselves at royal courts (Watts, 2011: 115-117, see also OED). “[I]mpolite, *adj.*” entered the English language around 1612 (OED, Second Edition, accessed 20 December 2014). It is basically regarded as a lack of politeness, i.e. a lack of refinement and later a lack of “courteous manners” (OED).¹⁷

Selected politeness definitions from the 18th century to the present share a sense of respect and consideration for others (OED¹⁸, Boyer, 1708: 111, Brown, 2001: 11620, Kádár and Haugh, 2013: 1). Other-orientation is more typical of the modern understanding of politeness, whereas early modern politeness was “primarily a device for self-presentation” (Bax, 2010: 67). Notably, the politeness definition in the *English Theophrastus* (Boyer, 1708: 111), an early 18th-century etiquette manual, puts the enhancement of self-image before

¹⁶ For reasons of scope, the discussion is limited to selected definitions of (im)politeness, which are representative of general orientations.

¹⁷ Synonymous meanings of “rude, *adj.* and *adv.*” and “rudeness, *n.*” are attested around 200 years earlier (OED, Third Edition, accessed 20 December 2014, Terkourafi, 2008: 61).

¹⁸ See third sense for “politeness, *n.*” (OED, Third Edition, accessed 20 December 2014).

that of others: “Politeness may be defined a dextrous management of our Words and Actions whereby we make other people have better Opinion of us and themselves.”

According to modern encyclopaedic and textbook definitions, politeness plays a central role in human interaction and social relationships (Brown, 2001: 11620, Kádár and Haugh, 2013: 1). First-wave politeness theories tended to regard politeness as a means of conflict-avoidance (Brown and Levinson, 1987: 1, Lakoff, 1990: 34, Leech, 2007: 173). Kádár and Haugh’s (2013: 1) definition draws attention to the broad scope of politeness, ranging from conventionalised aspects, such as address terms, to any kind of “interpersonal behaviour” that is considerate of participants’ identities and relationships.

Modern scientific definitions of impoliteness emphasise the intention of attacking others and causing “social disruption” (Culpeper, 1996: 350, Bousfield, 2008: 72). Terkourafi (2008: 61-62) defines impoliteness as an “accidental” offence “attributed to the speaker’s ignorance or incompetence”, whereas rudeness constitutes “intentional” offensive behaviour. Her distinction is diametrically opposed to Culpeper’s (2008: 31-32) and Bousfield’s (2010: 111, and references there cited) positions. Bousfield (2010: 111) notes a tradition reaching back to Goffman (1967: 14) of linking impoliteness to intentional conflictive behaviour and rudeness to behaviour that causes offence unintentionally. While agreeing with Bousfield in earlier publications (see Culpeper, 2005: 63, Culpeper et al., 2003), Culpeper (2008: 32) later states that the distinction needs to be supported by corpus-based evidence of first-order usage of the terms. His findings suggest that the overlap in first-order notions of *impoliteness* and *rudeness* do not permit neat distinctions (Culpeper, 2011a: 80-82).

Culpeper’s (2011a: 23) recent definition is the most elaborate concept of impoliteness:

Impoliteness is a negative attitude towards specific behaviours occurring in specific contexts. It is sustained by expectations, desires and/or beliefs about social organisation, including, in particular, how one person’s or a group’s identities are mediated by others in interaction. Situated behaviours are viewed negatively – considered ‘impolite’ – when they conflict with how one expects them to be, how one wants them to be and/or how one thinks they ought to be. Such behaviours always have or are presumed to have emotional consequences for at least one participant, that is, they cause or are presumed to cause offence.

Impoliteness is defined as a perceived clash between expected and actual behaviour, resulting in an emotional experience of offence. Unlike other definitions, Culpeper (2011a: 23) stresses the context-dependence of impoliteness and leaves out the aspect of intention.

The abovementioned definitions have different status as folk-theoretic and scientific-theoretic perspectives. Definitions in the OED and the *English Theophrastus* (Boyer, 1702: 108) are based on folk notions of politeness. Definitions by (im)politeness researchers have been developed as scientific concepts. Nevertheless, some of them seem to be influenced by researchers' first-order notions. Modern accounts of politeness tend to stress altruistic functions of politeness, e.g. conflict-avoidance and other-consideration, and omit egocentric functions, e.g. social distinction and self-display (Deutschmann, 2003: 25-29). Very recent accounts of politeness, however, include both other- and self-orientation (Kádár and Haugh, 2013: 1, Leech, 2014: 27). Notably, altruistic aspects of politeness do not necessarily concern people's true motives, but what is expressed through their behaviour (Leech, 2014: 4). Still, self-orientation is important for our understanding of historical, and also present-day politeness (Spencer-Oatey, 2009: 137, 145, Watts, 1992: 69). Scientific concepts do not have to be totally separate from first-order understandings. In fact, a connection between research and everyday experience is desirable (O'Driscoll, 2011: 23-24). However, as omitted self-enhancing functions of politeness and the contrasting distinctions between impoliteness and rudeness illustrate, scientific definitions "should only ever be informed and never unduly constrained by folk-theoretic understandings of politeness" (Kádár and Haugh, 2013: 103).

2.3.2. Production- and perception-oriented definitions of (im)politeness

The location of (im)politeness in interaction has become a central theoretical concern: are politeness and impoliteness inbuilt properties of our words and actions or are they mental concepts of how we should, or should not, behave? According to Eelen (2001: 96), (im)politeness theories should consider both production and reception aspects.

Traditional approaches are primarily concerned with production aspects, i.e. speakers' intentions and mechanisms of planning (im)polite utterances. They are flawed by the neglect of the recipient's active part in co-constructing meaning (Eelen, 2001: 98). Moreover, (im)politeness is regarded as inherent to certain kinds of behaviour, as reflected, for instance, in Brown and Levinson's (1987: 65) claim that certain acts are "intrinsically" conflictive. This view cannot account for changing understandings of communicative behaviour across contexts and time (see Eelen, 2001: 245).

Discursive definitions of (im)politeness as a judgement of behaviour seems to describe the phenomenon more adequately (e.g. Locher and Watts, 2005: 10, Mills, 2011: 35). What is polite or impolite essentially relates to how people perceive the meaning of an utterance rather than to what has been said. However, what we say is not totally irrelevant. (Im)politeness is an interplay between context and linguistic expressions in the sense that neither of the two determine an understanding of (im)politeness on their own. Depending on its degree of conventionalised meaning, a linguistic expression can have a strong effect on the uptake of an utterance. In other situations, context is more influential (Culpeper, 2011a: 125, Leech, 2014: 15-18).

Perception-oriented definitions can successfully incorporate production aspects of (im)politeness. The evaluation of communicative behaviour is not confined to recipients' perspectives and explicitly or potentially includes speakers' assessments of their own behaviour (Culpeper, 2011a: 254, Locher and Watts, 2005: 10, Spencer-Oatey, 2005: 97, 116). Production aspects of (im)politeness can be re-conceptualised as speakers' attitudes towards their utterances, conscious or otherwise (Culpeper, 2011a: 15).

Culpeper's (2011a: 23, 254-255) impoliteness definition is adopted for this study because it is the most comprehensive perception-oriented concept of impoliteness. His model is not limited to impoliteness, but also discusses the complex interrelations of impoliteness and politeness. Analogous to his impoliteness definition, Culpeper (2011c: 428) defines politeness as "an attitude comprised of particular positive evaluative beliefs about particular behaviours in particular social contexts". The extended focus provides useful concepts for the analysis of language use in verbal conflicts.

Furthermore, Culpeper's (2011) model includes the full spectrum of intentional, incidental and accidental impoliteness, whereas Bousfield (2008: 72-73) mostly concentrates on intentional impoliteness. Intentional impoliteness occurs if a face-attacking intention is communicated by speakers *and* recognised by targets. If targets do not notice the intended face-attack, "*the attempt at impoliteness fails*" (Bousfield, 2008: 72, original emphasis). *Incidental* refers to Goffman's (1967: 14) notion of a face-threat which is an unintended but "anticipated by-product of action". Incidental impoliteness occurs when recipients acknowledge that speakers performed actions "*in spite* of the offensive consequences but not *out of spite*" (Bousfield, 2008: 69, original emphasis). *Accidental* impoliteness ensues if recipients attribute face-attacking intentions to speakers which speakers did not have, or if

recipients are offended, but acknowledge the lack of offensive intentions on the speakers' part (Bousfield, 2008: 70-73, see also Goffman, 1967: 14). In contrast to Bousfield's (2008) and to his earlier definitions of impoliteness (Culpeper, 1996, 2005: 38, Culpeper et al., 2003: 1575-1576), Culpeper's (2011a: 51) recent definition does not depend on offensive intentions. Instead, impoliteness occurs if at least one of the participants perceives certain behaviour as offensive. Culpeper's (2011a) focus on perception, without neglecting intentions, is therefore preferred as a more flexible approach (see Sections 2.4 and 3.4).

2.3.4. *Placing (im)politeness in a wider framework*

Embedding (im)politeness in wider frameworks is advantageous given that those frameworks are sufficiently elaborated. It illuminates the dynamic relationship between politeness and impoliteness. Behaviour which is perceived as *not polite* is not necessarily *impolite*, but perhaps something in between (e.g. Locher, 2006: 257). Moreover, politeness and impoliteness do not cover *all* facets of interactional behaviour (Archer, 2011: 3217, Kádár and Haugh, 2013: 19, Watts, 2003: 130-133). An awareness of the boundaries of (im)politeness is therefore essential if the concepts are not to be overextended. Juxtaposing (im)politeness with related phenomena in a wider framework can highlight distinctions (see Chapter 3).

Among the prominent attempts to embed politeness and impoliteness in a wider framework, this study prefers Spencer-Oatey's (2002a) rapport-management over Locher and Watts's (2005) relational work. Both models comprise the whole spectrum of social interaction. Whereas Locher and Watts's (2005) relational work has been criticised for its lack of clarity and empirical evidence (see Culpeper, 2008, Haugh, 2007, Mills, 2011: 36), Spencer-Oatey's framework is supported by empirical cross-cultural evidence and "has been successfully applied to impoliteness" (Culpeper, 2011a: 26, 47). Rapport-management, a concept for the "management of social relations", consists of four types of rapport-orientations that people can hold towards each other (Spencer-Oatey, 2002a: 13, 29-30): rapport-enhancement, rapport-maintenance, rapport-neglect and rapport-challenge. Rapport-challenge incorporates intentional impoliteness as a "desire to challenge or impair harmonious relations between the interlocutors" (Spencer-Oatey, 2002a: 30). Politeness is part of rapport-enhancement, i.e. a "desire" to bring about a "positive change", and rapport-maintenance orientations, i.e. a desire to preserve the status quo in relationships (Spencer-Oatey, 2002a: 30). The two orientations, however, are not considered to be con-

gruent with politeness as a first-order term. A perceived rapport-enhancement orientation in a close friendship, for instance, may not be labelled *polite* by participants, but rather as *supportive* or *caring* depending on the particular behaviour in context. Furthermore, rapport-orientations can have diverse underlying motives. Differences in motivation are especially noted for rapport-enhancement, which can be based on selfish interests rather than on genuine concerns for others (Spencer-Oatey, 2002a: 30). Motives supposedly also play a role in evaluations of a rapport-neglect orientation. Rapport-neglect is “a lack of concern or interest in the quality of relations between the interlocutors (perhaps because of a focus on the self)” (Spencer-Oatey, 2002a: 29). A rapport-neglect orientation is not necessarily seen as *impolite*. If participants assign a higher value to a task that has to be completed, e.g. a rescue operation, than to their relationships, rapport-neglecting behaviour may still be judged as *not impolite* (Spencer-Oatey, 2002a: 30).

2.4. Key elements of (im)politeness

(Im)politeness research has been concerned with identifying cognitive and social building-blocks which make up understandings of social conduct and offence. They have already been mentioned above, viz. face, social norms, intentions, and emotions; now they are discussed in more detail. The aim of this section is to define these key elements and examine how they are integrated in different approaches to (im)politeness.

Face is widely assumed to be the basis – or one of the bases – of (im)politeness (e.g. Leech, 2007: 199, Spencer-Oatey, 2002a: 12). It has a long-standing tradition in Chinese politeness, it is the core concept of Brown and Levinson’s (1987) and Bousfield’s (2008) models, and it is included in other approaches, e.g. Watts (2003). Definitions of face vary greatly, and no attempt is made here to give a comprehensive review of ongoing debates (see Bousfield, 2013 for references). Discussion instead concentrates on arguments which have shaped the approach to face in this study. Presumably, the most cited in (im)politeness research is Goffman’s (1967: 5, original emphasis) definition of face:

The term *face* may be defined as the positive social value a person effectively claims for himself by the line others assume he has taken during a particular contact. Face is an image of self delineated in terms of approved social attributes – albeit an image that others may share [...].

Goffman (1967) sees face as essentially social and interactional. Although a person’s “social face can be his [or her] most personal possession and the center of his security and

pleasure, it is only on loan to him [or her] from society” (Goffman, 1967: 10). Asserted self-aspects of participants always depend on the evaluation by others in interaction (Spencer-Oatey, 2007: 643). Thus, face is a “*mutually constructed*” self-image as it is “internally expected and externally realised in interaction” (Bousfield, 2008: 39-40, original emphasis). The positive social values claimed by individuals constitute aspects of their selves to which they are sensitive. Face-sensitivities are a matter of degree, i.e. a particular social value can be assigned a higher or lower significance, depending on personal value systems shaped by participants’ socio-historical context and the specific interactional situation (Spencer-Oatey, 2005: 104, 2007: 650). Spencer-Oatey (2002a, b, 2005, 2007) further develops Goffman’s (1967) face concept by proposing individual and collective dimensions of self (see Chapter 3 for more details).

Goffman’s (1967) face concept has been fundamentally questioned, which has repercussions on any (im)politeness framework incorporating his definition. Arundale (2013a: 109, original emphasis) criticises Goffman (1967) and Spencer-Oatey (2007) for defining face as “*person-centered attributes*”. The problem identified by Arundale (2013a: 116-118) concerns the lack of distinction between first-order and scientific-theoretic notions of face. He argues that a scientific-theoretic concept should be different from participants’ understandings of face as self-aspects which can be lost or damaged. To illustrate his point, he draws a comparison with the solar system: although people on earth see the sun rising in the east, the scientific fact is that “the earth rotates towards the east so that the sun appears to rise there” (Arundale, 2013a: 119). According to Arundale’s (2010: 2079) scientific-theoretic definition, face is “a relational and interactional phenomenon”. The terms *relational* and *interactional* have to be understood in the context of Arundale’s (e.g. 2009) alternative model of communication. Arundale (2009: 44-45) defines communication as “conjoint co-constituting of meaning and action in interaction” (Arundale, 2013a: 109). Meaning is achieved by all participants in interaction, and is more than the sum of individual utterances and uptakes (Arundale, 2010: 2079, 2013a: 109). This view of communication radically differs from previous models of communication, such as Goffman’s view of scripted, ritualised interaction or cognitive encoding-decoding models (Arundale, 2009: 44-45, 2010: 2079). Arundale (2010: 2079) argues that previous models of communication cannot capture the creation of meaning in interaction as a truly joint activity of all participants involved. Following Arundale’s (2009: 46, 2013a: 110) model of communication, face arises in interaction as “dynamic”, conjointly co-constructed understandings of participants’ relationships with each other at the moment of conversation. Spencer-Oatey

(2013b: 122-123, 2013a: 150) criticises Arundale for conflating face with relationships and neglecting individual, cognitive components. Arundale (2013b: 110-111, 139) refutes this criticism and argues instead that his theory defines face as constituting a dialectic process “in the sense of Yin and Yang”, in which social interaction and individual cognition shape each other, partially “merge” into each other, and yet remain distinct.

Furthermore, Arundale (2013c) challenges the validity of face as a concept in general. He claims that there is a lack of awareness in research that face is a metaphor and that it is not “the best metaphor” for theorising and analysing social interactions (Arundale, 2013c: 294). Researchers should search for “alternative metaphors” which enable “a more comprehensive understanding” of the phenomena which have so far been approached through the lens of face (Arundale, 2013c: 294-295). What Arundale (2013c: 290-291) rejects is essentially Goffman’s (1967) definition, which is a reduced adaption of the multilayered notion of face in Chinese politeness. Since there are already alternative conceptualisations of face, including Arundale’s (2009, 2010, 2013a) own efforts, it might be worth trying to solve the problem from within, by revising the received approach to face in (im)politeness research and adding the missing components (see Kádár, Haugh and Chang, 2013 and Chapter 3).

In addition to face, social norms are considered a key element of (im)politeness. Following their criticism of Brown and Levinson (1987) for neglecting social-norm aspects of politeness, Gu (1990: 242) and Ide (1989: 241-242) postulate politeness concepts based on social conventions. Eelen (2001: 121-128) points out that ideas of social norms are incorporated in all traditional politeness theories, for example, in premises of conflict-avoidance and appropriate behaviour. He challenges the implicit view of first-wave approaches that social norms are absolutely shared by all members of a given society as objective, stable entities on the abstract level of culture (Eelen, 2001: 179, 243-244). Notably, Eelen (2001: 217) does not reject social norms per se, but calls for a discursive reconstruction of them. While radical discursive approaches turned to investigating norms at “the local level” (Locher, 2006: 253), many researchers are now supportive of deriving broader social norms as “tendencies within language groups” as long as heterogeneity within those groups is not ignored (Mills, 2011: 49). Kádár and Haugh (2013: 67-73) propose the “moral order” as a discursive concept to explain what informs understandings of politeness. Participants’ evaluations of behaviour are not “idiosyncratic” but grounded in “a broader moral order”, i.e. a set of expectations and beliefs of what is acknowledged as acceptable (Kádár and

Haugh, 2013: 67). The moral order is not defined as absolutely shared across all members of a group. Moreover, it is sustained and changed through social practice (Kádár and Haugh, 2013: 67-69). A moral order consists of multiple layers of individual-based norms “embedded” in sets of norms at expanding levels of smaller groups to society or culture (Kádár and Haugh, 2013: 94-95). In a similar vein, Spencer-Oatey (2002a: 14) defines “sociality rights” as “expectancies” with personal and social components, which underpin people’s understandings of how they should be treated by others (see Chapter 3 for more details).

A third key element of (im)politeness is the perceived behavioural motivation, captured by terms such as goals or intentions. According to Spencer-Oatey (2005: 107, 116), interlocutors have “interactional goals”. The perception of others’ goals as well as the achievement or failure of one’s own goals influence evaluations of communicative behaviour. Spencer-Oatey (2005: 107) distinguishes between “transactional” and “relational goals”, which corresponds to Brown and Yule’s (1983: 10-16) distinction between the transactional and interactional function of language. In comparison with “function”, “goals” are closely associated with intentions and strategy (Leech, 1983: 14, 41). Transactional goals comprise task-oriented intentions, e.g. information-exchange, while relational goals are relationship-oriented (Spencer-Oatey, 2005: 107). Relational goals can be various and include constructive wants, e.g. strengthening relationships, or destructive intentions, e.g. deliberately attacking others. Spencer-Oatey (2009: 150) notes that research on face and (im)politeness largely neglect the transactional function of language and concentrate “almost exclusively on the relational aspects of the interaction”.

Although Culpeper (2011a: 48-56) does not see intentionality as essential to causing offence (Section 2.3), he keeps it as a constituent of impoliteness. Moreover, Culpeper (2011a: 49) differentiates intentionality from intention, following distinctions drawn by Malle and Knobe (1997: 111-112). Intention is constituted by “desire (for an outcome)” and “belief” that certain actions will bring about the desired outcome (Culpeper, 2011a: 49). Intentionality additionally involves “skill”, i.e. speakers’ abilities to achieve the desired outcome, and “awareness” when putting intentions into action (Culpeper, 2011a: 49). It is intentionality, rather than intentions, which Culpeper (2011a: 49) considers as one of his impoliteness constituents. Intentionality is defined as a continuum. Lower degrees of intentionality may include the “foreseeability” of giving offence (Culpeper, 2011a: 52).

The interplay between perceived intentionality and people's assessment of communicative behaviour is complex. On the one hand, studies report that perceptions of intentional impoliteness correlate with a higher gravity of offence (Vangelisti and Young, 2000). On the other hand, people can perceive a communicative act as a severe offence even when they rate the speaker's intentionality very low (Culpeper, 2011a: 51-52).

Emotions have more recently been acknowledged as a key element of (im)politeness in their own right. Following Goffman (1967: 6), Brown and Levinson (1987: 61) mention emotions briefly as underpinning face. Spencer-Oatey (2005: 116) notes that people's judgements of communicative behaviour are often accompanied by emotional responses, positive or negative, "which in turn can have a crucial impact on perceived rapport". Culpeper (2011a: 58), who discusses emotions more comprehensively than previous approaches, relates impoliteness to negative emotions, especially to feelings of sadness and anger. Negative emotions can be a cause or effect of impoliteness. Although negative emotions are not inherently impolite, their display in interactions can be evaluated as *impolite* by others. As effects, negative emotional consequences are the result of perceived face-damage, a breach of social norms or a failed interactional goal. Participants can have negative feelings about offences directed at their own selves or experienced by others (Culpeper 2011a: 59-61).

Frameworks which combine these key elements of (im)politeness, e.g. Spencer-Oatey (2005) or Culpeper (2011a), have advantages over models focusing on a single constituent. Often, the basic constituents of (im)politeness are closely interrelated (Spencer-Oatey, 2005: 108). Investigations relying on a face-based model, such as Brown and Levinson's (1987), may result in "the relative neglect" of the impact of moral expectations towards behaviour (Haugh, 2013: 4). Spencer-Oatey (2002b: 541) conceptualises sociality rights as distinct from face-sensitivities "in that an infringement of sociality rights may simply lead to annoyance or irritation, rather than to a sense of face threat or loss (although it is possible, of course, that both will occur)".

2.5. Factors shaping notions of (im)politeness

People's perceptions of communicative behaviour are influenced by social and situational variables. Social variables are the determinants of social relations. Situational variables

comprise context- and co-text-related factors.¹⁹ Social and situational factors are interconnected. For example, the suitability of discussing a private topic may depend on the relationship between participants. As a key analytic focus of this study, the situational parameter of private-public is discussed separately in Section 2.7. This section concentrates on extra-linguistic variables of (im)politeness and issues that underpin the qualitative analyses in later chapters.

2.5.1. *Social factors*

The most frequently mentioned social variables in relation to (im)politeness are power and social distance. They are widely acknowledged as key factors “involved in any social interaction” (Culpeper, 2008: 17, 33). A seminal approach to these social variables is Brown and Gilman’s (1960) sociolinguistic model of T/V pronoun-systems in European languages.²⁰ According to this model, power and solidarity determine the (a)symmetry and closeness of social relationships and, by consequence, the selection of the appropriate address pronoun. Leech (1983) and Brown and Levinson (1987) integrate these determinants in their theories. Leech (1983: 126) conceptualises power as a scale of “[v]ertical distance” between speaker and recipient, and solidarity as a “horizontal axis” of social distance. Brown and Levinson (1987) have been criticised for their vague definitions of their parameters (see Bousfield, 2008: 88, Culpeper, 2008: 34). To be fair, Brown and Levinson (1987: 76) acknowledge the complexity and the culture-relative contents of their parameters, while also stating that an elaborate conceptualisation of power and social distance was not intended. Additionally, they highlight the context-dependence of their factors, i.e. how relations of power and social distance can change drastically from one situation to another (Brown and Levinson, 1987: 78).

Fairclough’s (1989: 43, original emphasis) distinction between two sources of power, “power *in* discourse” and “power *behind* discourse”, is seen as a valuable contribution to examining the relationship between power and language use (Culpeper, 2008: 35). Power *in* discourse refers to situations in which a person exercises control over other(s) through language use. Power *behind* discourse describes how discourse structures “are shaped and constituted by relations of power” (Fairclough, 1989: 43). It refers to an implicit effect of

¹⁹ For definitions of context and co-text, see Section 2.5.2.

²⁰ The symbols T and V, taken from Latin *tu* and *vos*, designate the familiar and polite pronoun of address in different languages (Brown and Gilman, 1960: 254).

power on language use enacted by those who hold power in social institutions. Establishing conventions of politeness is an example of power behind discourse (Fairclough, 1989: 66). Power in and behind discourse can be negotiated and challenged (Fairclough, 1989: 68). Participants with a lower degree of social power, e.g. due to their status, may challenge existing power relations by exercising power through language use over those of higher status, whereas interactants who have power behind discourse may not reaffirm their power verbally (Locher, 2004: 31).

Concerning social distance, Spencer-Oatey (1996) notes a lack of clarity and agreement among the various definitions. The constituents of social distance identified by linguists are social similarity/difference, “frequency of contact, length of acquaintance”, familiarity, like-mindedness and “[p]ositive/negative affect” (Spencer-Oatey, 1996: 3-7). Drawing on social psychological research, Spencer-Oatey (1996: 20) argues that social distance consists of a bundle of different components rather than of one single dimension. Presumably, understandings of what exactly constitutes social distance are discursively constructed across cultures, social networks and individuals. Kinship, for instance, was a decisive factor for social closeness in early modern Scotland (see Chapter 4).

2.4.2. *Situational factors*

Presumably because of the predominance of Brown and Levinson’s (1987) theory in politeness research, situational factors were neglected by traditional approaches (see Bousfield, 2008: 88, Culpeper, 2011a: 115). Brown and Levinson (1987: 77) only propose one situational variable, namely “a culturally and situationally defined ranking of impositions”. The ranking relates to the degree to which a communicative act interferes with speakers’ or recipients’ face-wants; for example, an imposition caused by a request on the other person’s time (Brown and Levinson, 1987: 77). Brown and Levinson (1987: 80, original emphasis, 16) claim that their parameters of power (P), social distance (D) and ranking of impositions (R) “*subsume* all others”; however, they “concede that there may be a residue of other factors which are not captured within the P, D, and R dimensions”. Considering the growing body of scholarly work on situational variables, these other factors are more than just a “residue”.

Bousfield (2008) and Culpeper (2011a), for instance, provide book-length, systematic analyses of contextual and co-textual factors in impoliteness events. *Context* relates to par-

ticipants' cognitive selection of the whole range of contextual features present in a situation (Culpeper, 2011a: 195). Interlocutors cannot take everything into account due to the limitations of human cognitive processing capacities. The view of selective context raises the issue of which features are perceived as salient by participants and which factors are ignored. Furthermore, interlocutors can differ in their perception of the same situation (see Culpeper, 2011a: 55, 201-202). Moreover, face-sensitivities are context-dependent as the context can determine what aspects of face are considered salient and "highly sensitive" and hence more vulnerable (Culpeper 2011a: 202).

People's evaluations of behaviour are also shaped by the co-text (Culpeper, 2011a: 204). *Co-text* refers to the verbal context of a discourse, i.e. what other people just said or wrote (Culpeper, 2011a: 195). Culpeper (2011a: 155) introduces the concept of "implicational impoliteness" to describe how the assessment of verbal behaviour as *impolite* can be "triggered" by the specific form of the displayed behaviour or by the relation to its co-text. "*Verbal formula mismatches*", for instance, occur when a politeness formula is employed as "a conventionalised prelude to impoliteness" (Culpeper, 2011a: 174, 177). For example, an apology as a politeness formula can clash with some co-textual element that somehow contradicts or challenges the understanding of a mitigating intention. If someone says *I am sorry but I really think it was your fault*, the coordinating conjunction *but* creates a relation of contrast between the two clauses. Deutschmann (2003: 57) notes that the coordinating conjunction *but* following apologies is used as a device to distance the speaker from the offence. It triggers a conventional implicature²¹ of an apology that merely pays lip-service to politeness, while the speaker still insists on being in the right. As a consequence, the illocutionary force of a politeness formula can be reduced or cancelled by some contradictory element in the co-text.

Co-textually determined evaluations of behaviour can in turn prepare the ground for people's reactions to what other people just said or did. According to Bousfield (2008: 188-203), interlocutors show different strategies when reacting to an experienced offence. They can "either choose to respond or not to respond" (Bousfield, 2008: 188). The basic options for responding are accept or counter. A complaint, for instance, can be accepted by apologising to the complainant (Bousfield, 2008: 193). Counters can be performed through offensive or defensive strategies. Whereas offensive counters "primarily counter face-attack

²¹ Grice's (1989: 24) concept of implicature refers to speakers' intended meanings and captures the phenomenon that we often mean more than we say.

with face-attack”, defensive moves “primarily defend one’s own face or that of a third party” (Bousfield, 2008: 193). Culpeper’s (2011a: 204-205) notion of the “(im)politeness threshold” helps to understand why perceived politeness is usually reciprocated and impoliteness commonly followed by retaliation. It further explains why perceived impolite behaviour preceded by perceived polite behaviour is likely to be assigned a higher degree of offence than when being preceded by impoliteness. Preceding impoliteness legitimises subsequent impoliteness, whereas preceding politeness highlights impolite reactions as unfair (Culpeper, 2011a: 205-206).

2.6. Historical (im)politeness

The historical dimension of (im)politeness has occasionally been considered in earlier sociopragmatic studies (e.g. Brown and Gilman, 1989, Kopytko, 1995, Watts et al., 1992). However, over the last few years scholarly attention to historical (im)politeness has increased, as indicated by Culpeper and Kádár’s (2010) edited volume and a special issue in the *Journal of Historical Pragmatics* (Bax and Kádár, 2011). The survey of historical (im)politeness research in this section focuses on the history of (im)politeness in English and Scots, and on major considerations of applying modern (im)politeness theories to historical data.²²

Jucker (2010, 2012) sketches a history of English politeness. Available research findings suggest that face – as defined by Brown and Levinson (1987) – was not a central issue in English politeness until the early modern period (Jucker, 2010, Kohnen, 2008, Kopytko, 1995). It is a preliminary summary based on comparatively little data from only a few genres – or, as Jucker (2010: 197) puts it: “So far, we only have glimpses of how speakers of English were polite to each other in earlier centuries, and a comprehensive history of English politeness still remains to be written.”

Moreover, the history of English politeness needs to be complemented by a history of impoliteness, and by investigations into how these two phenomena are interrelated. At present, the majority of historical studies concentrate on politeness (see Culpeper and Kádár, 2010, Bax and Kádár, 2011). Nevertheless, some promising advancements have been made in the analysis of antagonistic speech-acts, such as insults, flyting or cursing, in sources from Old to Modern English (Arnovick, 1999, Culpeper and Semino, 2000, Jucker, 2000b,

²² For genre-specific reviews of previous research, see Chapters 4 (correspondence) and 7 (court-records).

Jucker and Taavitsainen, 2000). Furthermore, Archer (2008) reassesses the concept of impoliteness in 17th-/18th-century courtroom interactions. She argues that the courtroom context legitimises “verbal aggression techniques” of legal professionals (Archer, 2008: 182). Impoliteness only occurs when participants do not have the right to perform face-attacks. Hence, a broader framework of verbal aggression or “face aggravation”, with impoliteness as a sub-category, is more suitable to account for notions of adversarial behaviour in historical and modern courtrooms (Archer, 2008: 182, 2011a: 3220).

Gaps in the history of (im)politeness in Scots are even larger than in English. Research has focused on politeness in 19th- and early 20th-century Scottish correspondence (Dossena, 2006a, b, 2007, 2008). To my knowledge, other genres and periods before 1700 have not been considered except for Leitner’s (2013) case study of address pronouns in Late Middle Scottish court-records. Moreover, impoliteness has only marginally been considered.²³ As a matter of fact, very little is known about the history of (im)politeness in Scots.

Several modern (im)politeness theories have been tested on historical data, in particular Brown and Levinson’s (1987) model (e.g. Brown and Gilman, 1989, Kohnen, 2008, Nevalainen and Raumolin-Brunberg, 1995) and Watts’s (1992: 50) concept of “politic” behaviour (e.g. Bax, 2010, Kádár, 2010). Jucker (2010: 180, 2011: 179) re-conceptualises Brown and Levinson’s (1987: 61) negative politeness, i.e. the desire for autonomy and non-imposition. He disentangles non-strategic deference from strategic non-imposition politeness by allocating deference to discernment politeness. The distinction refers to the degree of pragmatic choice in linguistic politeness. Brown and Levinson’s (1987: 61) model of politeness strategies to save, maintain or enhance face mainly captures strategic, or volitional, aspects of politeness (Ide, 1989: 232, Jucker, 2010: 176). Speakers’ choices of linguistic expressions are “considerably active” and “potentially unlimited” (Hill et al., 1986: 348, Ide, 1989: 227). In contrast, pragmatic choice in *discernment* politeness is restricted as speakers’ intentions come down to observing social conventions of language use, e.g. the use of honorifics (Ide, 1989: 225-230). The concept is derived from the Japanese term *wakimae*, which expresses one’s “sense of proper place” in relation to others (Ide, 1989: 230-231). Volition and discernment are seen as distinct poles of a continuum to account for overlaps (Ide, 1989: 232). By subsuming honorifics under negative politeness strategies, Brown and Levinson (1987) overlook their prevailing discernment aspects (Ide, 1989: 226-227, 232). Differential address-terms are a matter of selecting the “socially ade-

²³ Findings for (im)politeness in Scottish correspondence are discussed in Chapter 4.

quate expression”, however, strategic elements could blend into their use (Jucker, 2011: 187).

Likewise, considerations are expressed for applying Watts’s (1992: 50-51) concept of politic behaviour to historical data. Politic behaviour is deemed appropriate in a given situation, in comparison with *polite* or *impolite* behaviour, which is perceived as investing more or less than is required (Locher and Watts, 2005: 11-12). The great advantage of politic behaviour resides in establishing a context-specific reference-point for (im)politeness (Bax, 2010: 44-46). However, identifying the borderlines between politic and polite or impolite can be tricky “if not at times impossible” and requires “a sufficient degree of ‘inside knowledge’” (Bax, 2010: 46). Insights into period-specific understandings of social conduct can be gained through consulting etiquette and letter-writing manuals (Bax and Kádár, 2011: 8-9). However, interrelations between such folk-theoretic texts and authentic language use are multi-layered (see Chapter 4). Evaluations by participants themselves can shed further light on the matter; however, such meta-comments may be rare in historical data (Bax, 2010: 49).

Occasionally, modern (im)politeness theories other than Watts (e.g. 1992) or Brown and Levinson (1987) are applied to historical texts. Levorato (2009: 163), for instance, adopts Spencer-Oatey’s (2007) distinction between individual and collective face to capture the different dimensions of communicative situations in 18th-century pamphlets. Applications of Culpeper’s (2011a) impoliteness model to historical texts are, to my knowledge, limited to a few case studies (Sairio and Williams, 2012, Williams, 2012, Williams, 2013: 189-218). Williams (2012: s.p.) regards Culpeper’s (2011a) perception-oriented, corpus-based, approach as useful for enhancing our knowledge of “socio-cultural evaluations and understandings of language and communication”. However, the modern methods cannot be directly applied to historical data, because notions of (im)politeness were expressed through a different vocabulary in the past, which needs to be reconstructed first (Williams, 2012: s.p.).

In general, the application of modern politeness theories to describe historical phenomena can lead to ethnocentric analyses instead of discovering historical perspectives (Fitzmaurice, 2010: 90-91). To overcome the risk of imposing theoretical concepts on historical data, Fitzmaurice (2010: 90-91) suggests a two-step approach of contextualised in-

vestigations of period-specific understandings, followed by adopting concepts of politeness theory which are most suitable to categorise the findings.

2.7. Private and public

The impact of private-public dimensions as a situational variable on social interaction has been largely ignored in modern and historical (im)politeness research. Observations can be grouped in three main arguments. Firstly, private and public contexts are associated with different norms of communicative behaviour. Blum-Kulka's (1990) findings suggest that linguistic directness is not perceived as impolite within family discourse as it is legitimised by the "social situation", i.e. the power asymmetry and intimacy of parent-child relations in the setting of private households.

Secondly, the presence of third-parties has an impact on social practices related to (im)politeness. Historical politeness studies attribute the selection between more formal and more intimate address-terms to the potential access of third-parties to communicative situations (King, 2010, Nevala, 2004c). The influence of third-parties on the selection of politeness strategies has also been mentioned in modern (im)politeness research (Leech, 1983: 131, 2014: 18-20, O'Driscoll, 2007: 256). Mueller Dobs and Garcés-Conejos Blitvich's (2013) findings show that participants who witness face-threats actively engage in negotiations of impoliteness understandings. Moreover, face is cross-culturally perceived as being more vulnerable in front of larger audiences than in situations with few people present (Spencer-Oatey, 2002a: 35). Culpeper (2011a: 202) proposes a scale of face-exposure, which is primed by third-party presence and determines the "potential for face damage". A high degree of face-exposure is seen as exacerbating a face-threat, as in Spencer-Oatey's (2002a: 11, 16-17) example of a student criticising the teacher in front of the whole class and another teacher.

Thirdly, boundaries between private and public vary across cultures. Different understandings of one's personal space are identified between Western and Eastern societies (Lê, 2005, Matsumoto, 1988: 406-407). Lê (2005: 275, 277, 279-280) describes how culture-specific "privacy expectations" can lead to cross-cultural misunderstandings when privacy has been violated.

If private and public are considered as situational variables in (im)politeness research, the key concepts are usually left undefined or only partly delineated. Weintraub (1997) notes similar shortcomings in approaches to private and public across other academic disciplines, e.g. sociology (Goffman, 1963, 1971, Habermas, 1990 [1962]) and social history (Ariès, 1985), amongst others. Previous work is criticised for not developing clear distinctions between private and public. The key terms tend to be understood as dichotomous, while it goes generally unnoticed that private and public have various shades of meaning and can refer to “very different things” (Weintraub, 1997: 1-2). In (im)politeness research, private-public distinctions are made with reference to the “*Social-Physical Setting*” of communicative events, with broad dichotomous examples such as restaurant versus private home (Bousfield, 2008: 80, original emphasis, Gu, 1990: 249).

Historical sociopragmatic studies show a greater awareness of the complex relation between private and public. Dossena (2006a: 176, original emphasis) argues against an “*a priori* dichotomy” between personal and business correspondence. Instead, private and public need to be reconstructed through a bottom-up approach to identify typical linguistic features and mixed forms (Dossena, 2006a: 176). In a similar vein, Del Lungo Camiciotti (2010: 1, 7) stresses that private and public are scalar notions and require a discursive approach, but without further describing the contents of a private-public continuum or the proposed discursive methods. Tieken-Boon van Ostade (2010: 27, 31) conceptualises private/public as a scale of social distance to investigate variation in formal language use in 18th-century correspondence. However, social distance cannot be the only distinctive factor between private and public. As regards face-to-face conversations, people who are close to each other can interact in contexts with different degrees of publicness (see King, 2010: 242, Lê, 2005: 275). In historical studies of written communication in Brownlees et al.’s (2010) volume and in Wright (1989), private and public relate to various aspects, such as access to, contents or functions of texts, the formality of language use or the relationships between participants. The aspects tend not to be developed in much detail, except for Tieken-Boon van Ostade’s (2010) systematic classification of social relationships and Fitzmaurice’s (2006) considerations of how aspects of access in late 17th-century diplomatic correspondence shaped stylistic choices and the communicative functions and contents of letters.

Occasionally, there are more elaborate accounts of private and public, which explicitly define the concepts as constituted by a set of components. Blum-Kulka (1990: 263) defines

family discourse as a bundle of constitutive elements of setting, topic, discourse function, (in)formal language use and relationships between participants. Her approach is limited to family interactions; there is no contrast with more public contexts.

Lê's (2005: 278) distinction between "High" and "Low Privacy" is the first scalar conceptualisation of private/public in (im)politeness research. Privacy is defined as "personal freedom from uninvited intrusions" and "indicates something belonging to individuals which others are not allowed to make public unless it is agreed by the owners" (Lê, 2005: 276, 282). Privacy has two basic constituents: the conversational topic, concerning "information about the private life of individual speakers", and the social distance between participants (Lê, 2005: 277). Although setting is mentioned as a determinant of perceived privacy, it is not ranked as one of the "fundamental aspects" (Lê, 2005: 277-278). However, the communicative setting should be on a par with the other dimensions. *Where* an interaction takes place – or in the case of written texts, *where* a message is posted – is at least as crucial as who is communicating with whom and what they are talking about.

The most systematic conceptualisation of private and public is Landert and Jucker's (2011) pragmatic approach. In contrast to Lê's (2005: 278) single scale, they develop a "multi-dimensional" model (Landert and Jucker, 2011: 1425). Based on previous elaborations of the private-public distinction (e.g. Weintraub, 1997, Dürscheid, 2007) and on Koch and Oesterreicher's (1985) communicative model, Landert and Jucker (2011: 1426-1427) define three scales: "public accessibility", "privacy" and "linguistic immediacy".

The degree of *accessibility* depends on the number of people who can access a particular communicative situation, ranging from "public" to "non-public" contexts (Landert and Jucker, 2011: 1425-1426). For example, a personal letter is now associated with a non-public context because access is usually restricted to sender and recipient.²⁴ By comparison, newspapers are freely accessible since they are printed and circulated in large numbers.

Privacy refers to a scalar distinction between "private and non-private topics" of conversation (Landert and Jucker, 2011: 1427). Compared to the vague definitions of private topics in Blum-Kulka (1990) and Lê (2005), Landert and Jucker (2011: 1427) note the difficulty of defining the notion and propose a working definition relating to "the number of people

²⁴ On historical conditions of access in early modern correspondence, see Chapter 4.

who are affected or potentially affected by the content under consideration”. The privacy of a topic increases the more its content focuses on one or few individuals.

The scale of *linguistic immediacy*, derived from Koch and Oesterreicher (1985), captures varying degrees of (in)formal language use. At one end of the continuum, the “language of distance” applies to formal features of language, e.g. honorific terms of address (Landert and Jucker, 2011: 1427-1428). The “language of immediacy” at the opposite pole is characterised by colloquial features, e.g. terms of endearment (Landert and Jucker, 2011: 1428).

Landert and Jucker (2011) demonstrate the usefulness of their model in a case study of present-day mass-media communication. The separate dimensions permit systematic description of the increased tendency to use informal language and discuss private topics in publicly accessible texts (Landert and Jucker, 2011: 1428-1432). Nonetheless, Landert and Jucker (2011: 1433) note that their scales need further elaboration through systematic descriptions of the constituents of each scale and the interdependencies between them.

Landert (2014) modifies Landert and Jucker’s (2011) model for her study of personalisation strategies in mass-media communication. Since accessibility remains more or less constant in her data, she replaces the scale with a new dimension which is essential to her analyses, yet not covered by Landert and Jucker’s (2011) scales. To capture degrees of personalisation Landert (2014: 29) introduces the scale of “involving” versus “non-involving” communicative settings. An involving setting encourages “interaction between text producers and the audience”, whereas non-involving settings do not offer devices through which recipients can become more involved in news discourse (Landert, 2014: 29). Online news, for example, enhances reader contributions as it is easier and faster to post comments on articles than print letters to the editor.

2.8. Summary and conclusions

The concepts of (im)politeness and private/public have been approached from various angles to provide a research context for this study. Modern (im)politeness research has developed from traditional theories, opposed by a counter-movement of radical discursive approaches to more moderate discursive models. With respect to views of communication, it remains questionable if Grice’s (1989) CoPr can explain meaning as a “non-summative

outcome” of communication, jointly co-constructed by all participants, as in Arundale’s (1999, 2013: 109) Conjoint Co-Constituting Model of Communication. Definitions of politeness and impoliteness vary greatly, indicating different orientations towards production and reception aspects of communication. Culpeper’s (2011a: 254-255, 2011c: 428) definitions of impoliteness and politeness as context-dependent attitudes towards particular behaviours were selected as working definitions since they cover reception and production. Moreover, placing (im)politeness in a wider framework encompassing the whole spectrum of behaviour in interaction can enhance our understanding of the dynamic relationship between politeness and impoliteness and of their delineations with regard to related phenomena.

Our knowledge of historical (im)politeness is still fragmentary. There is ample room to expound on the developments identified in the history of English politeness. For politeness in Scots, there are not even enough studies available to trace preliminary diachronic trends. Furthermore, historical impoliteness has received less scholarly attention than historical politeness. With regard to applying modern (im)politeness theories to historical data, there is a preference for Brown and Levinson’s (1987) and Watts’s (1992, 2003) concepts. By comparison, more recent frameworks have rarely been tested on historical data.

Spencer-Oatey (e.g. 2002a) and Culpeper (2011a) offer promising theoretical bases for a study of offence in early modern Scottish verbal conflicts. Culpeper’s (2011a, c) perception-oriented view of (im)politeness corresponds to historical research objectives of reconstructing period-specific notions of (im)politeness through expressed attitudes (see Section 1.4). His multi-constituent approach to (im)politeness, adopted from Spencer-Oatey (2005), is preferable over single-constituent models. Evaluations of communicative behaviour may often depend on more than one constituent, i.e. face-sensitivities, social/moral expectations, intentionality and emotions. Spencer-Oatey’s (2005) constituents have been successfully applied in cross-cultural research, which, like historical studies, requires data-sensitive frameworks (Culpeper, 2011a: 26). Moreover, Spencer-Oatey’s (2007) concepts of face and sociality rights capture individual and collective components, which is crucial for analysing conflicts in early modern Scottish communities (see Chapters 4-9). However, the theoretical foundations of her face-concept are problematic and require reconsideration (see Chapter 3).

Other (im)politeness theories are seen as less suitable for this study. Traditional and radical discursive approaches have not been adopted because of their problematic aspects (Sections 2.2-3). Even in recent approaches, the concept of impoliteness is either not sufficiently developed or only explained by the constituent of face.²⁵ Face might not always be central in Scottish historical (im)politeness. Hence, a framework is needed that takes additional elements into account.

However, useful concepts of other theories are not ignored. The framework of this study builds on earlier approaches in a similar way as Culpeper (2011a) and Spencer-Oatey build on previous research.²⁶ Brown and Levinson (1987) have made many contributions to (im)politeness research. Although their framework has been heavily criticised, their central notions have been preserved, albeit in modified forms.

The starting-point for developing a framework for analysing private and public aspects of conflict-situations will be Landert and Jucker's (2011) multi-dimensional model, combined with relevant ideas from (im)politeness research. Approaches to private/public in (im)politeness research and historical pragmatics are limited and distinctions between private and public are not elaborated in great depth. The next chapter outlines a model for analysing private-public dimensions in verbal conflicts, which is applicable but not restricted to historical texts.

²⁵ Leech (2014: 222) and Terkourafi (2008: 48), for instance, concede that their accounts of impoliteness/rudeness are not comprehensive.

²⁶ The notion of *building* on previous approaches follows Smith's (2012a) argument that successful developments in historical linguistics are characterised by integrating valuable elements of earlier research rather than rejecting them as outdated.

3

Investigating verbal offences in private and public conflicts

3.1. Introduction

Promising approaches to impoliteness and private-public dimensions may now be integrated in the theoretical and methodological framework of this study and adapted to present purposes. Firstly, a theoretical model is proposed which accommodates impoliteness within a broader notion of verbal offences. Secondly, methods are explained of identifying verbal offences in historical data and of mapping them conceptually with the *Historical Thesaurus of the OED* (henceforth HTOED). Section 3.5 discusses modifications of Culpeper's (2011a) impoliteness constituents for historical data. Subsequently, Landert and Jucker's (2011) private-public model is adapted for the investigation of conflict-situations in early modern Scottish letters and court-records. Furthermore, reasons are given for preferring qualitative over quantitative methods. The last section preceding the chapter summary explains the approach to social stratification.

3.2. The pragmatic space of verbal offences

Where are the boundaries of Culpeper's (2011a) impoliteness concept? Essential to Culpeper's (2011a: 23) impoliteness concept is the emotional experience of offence in the absence of physical violence, triggered by a perceived face-attack or violation of social rights. Culpeper (2011a: 99) stresses that impoliteness is limited to "symbolic violence" and "stops short of actual physical violence". Physical violence begins with drawn weapons or raised fists, before the target is actually harmed. A further issue concerns verbal misbehaviour tried by law-courts. Although legal consequences are not explicitly included in the 2011 framework, Culpeper (private conversation) claims that most impoliteness is legally punishable.

Because data in this study are to a large extent collected from court-records, distinctions are made between actionable and non-actionable impoliteness. Non-actionable impoliteness comprises impoliteness events with emotional consequences only. Actionable impoliteness explicitly extends Culpeper's (2011a) definition of impoliteness to legal consequences. The terms "actionable" and "non-actionable" are taken from Gowing's (1996:

123) discussion of insults. She argues that people in the early modern period knew for which insults they could be taken to court. For this study, impoliteness, rather than insult, is preferred as a theoretical umbrella term. The term *insult* is reserved for the specific speech-act (see Jucker and Taavitsainen, 2000). Impoliteness is taken as a broader notion applicable to various kinds of speech-acts and behaviour. The different modifiers emphasise distinctions in response, i.e. emotional effects versus lawsuit. Boundaries between actionable and non-actionable impoliteness are not clear-cut. Emotions experienced in legal offences can be similar to non-actionable impoliteness before legal action is taken. If potentially actionable offences go unpunished, the consequences remain emotional. Moreover, distinctions between non-actionable impoliteness and breaches of law can change across cultures and periods. This fuzziness can be captured by Jucker and Taavitsainen's (2000: 74) "pragmatic space" model.

Jucker and Taavitsainen's (2000) pragmatic space is analogous to the notion of semantic fields and adopts a prototype approach to speech-acts. Speech-acts are "fuzzy concepts" with "diachronic and synchronic variation" in form and function (Jucker and Taavitsainen, 2000: 74). Because of their fuzziness, speech-acts should not be studied in isolation but with "reference to neighbouring speech acts" (Jucker and Taavitsainen, 2000: 70). Jucker and Taavitsainen (2000) propose a set of dimensions to describe overlaps and distinctions between related speech-acts, which are briefly defined below and illustrated with examples in Chapter 8.

On a "formal level", speech-acts are distinguished by the ritual versus creative dimension, or "rule-governed" versus innovative behaviour (Jucker and Taavitsainen, 2000: 74). Ritual behaviour refers to strict patterns of conversational sequences (Jucker and Taavitsainen, 2000: 74). For example, the antagonistic behaviour of flyting in Scottish Kirk Session records has distinct ritual aspects (Todd, 2002: 236ff., see Section 7.2).

The "semantic level" delimits "truth-conditional" from "performative" speech-acts (Jucker and Taavitsainen, 2000: 75).²⁷ It separates, for instance, insult from slander. The two speech-acts overlap in their function of saying something "disparaging" about the target (Jucker, 2000b: 374, Taavitsainen and Jucker, 2008b: 6). Slandorous utterances can be

²⁷ This dimension is based on Austin's (1962) distinction between Constatives and Performatives and Searle's (1993) direction of fit.

verified in law-courts as true or false. Insults are Expressives²⁸; they do not have a truth value (Jucker and Taavitsainen, 2000: 75).

As a further level, speaker-attitude comprises dimensions of intentionality (Jucker and Taavitsainen, 2000: 75). In early modern lawsuits, it was a major concern if verbal offences were committed intentionally or unintentionally (Gowing, 1996: 123-124). Further distinctions are made between a speaker's "ludic" or "aggressive" attitude (Jucker and Taavitsainen, 2000: 75).

The level of context-dependence concerns conventionalised versus particularised speech-acts, analogous to Grice's (1989: 37) distinction between generalised and particularised implicatures (Jucker and Taavitsainen, 2000: 76). Conventionalised speech-acts are commonly understood by everyone in the same community. To make sense of particularised speech-acts participants have to consider the specific situation (Jucker and Taavitsainen, 2000: 76).

The final level considers the target's reaction to a speech-act. Targets can respond to insults, for example, with "denial", "violence" or "silence" (Jucker and Taavitsainen, 2000: 76). The reactions listed by Jucker and Taavitsainen (2000) can be complemented by impoliteness response-strategies discussed by Bousfield (2008: 188-203, see Section 2.5.2). Moreover, reactions should not be limited to targets but include third-parties (see Mateo and Yus, 2013: 90).

Jucker and Taavitsainen's (2000) pragmatic space is employed to situate Culpeper's (2011a) impoliteness concept in a wider space of verbal offences. The overlaps between circles and dotted lines in Figure 3.1 below indicate that concepts are fuzzy. There can be different co-existing perspectives of the same behaviour or shifts across time and different contexts.

"Verbal aggression" refers to Archer's (2008: 182) concept of "legally sanctioned" verbal attacks (see Section 2.6), or what Culpeper (2011a: 245) calls "institutional impoliteness". Verbal aggression may fall outside the space of verbal offences because it is perceived as legitimised impoliteness (see Culpeper, 2011a: 245-252). It tends to be discussed with respect to privileges of powerful participants in courtrooms or military training to use face-

²⁸ Among the different speech-act categories in Searle's (1993: viii, 15) taxonomy, Expressives communicate emotions and attitudes.

aggravating behaviour (e.g. Archer, 2008, Culpeper, 2011a: 245-252); however, it applies to any context in which power relations among participants determine the rights of attacking others. Overlap exists: although verbal aggression might be legitimised, it can still be perceived as offensive by targets and other participants (Culpeper, 2011a: 217, 252).

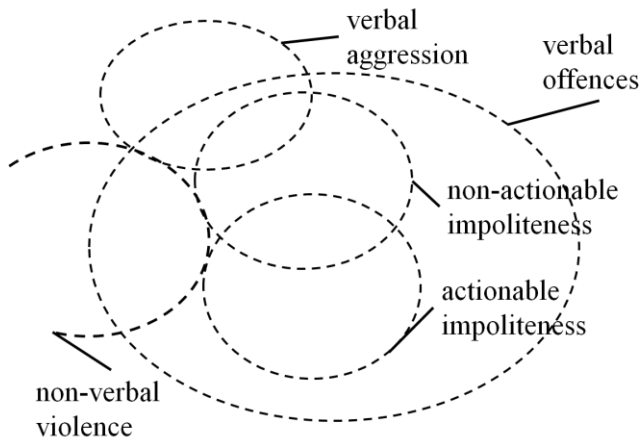


Figure 3.1: A pragmatic space of verbal offences

Verbal offences can be combined with non-verbal violence. Such cases are separate from impoliteness, because they involve physical harm, not just symbolic violence. A threat put into action would, for instance, belong to this area.

Jucker and Taavitsainen's (2000) pragmatic space model is also used to categorise speech-act functions of cited utterances in court-records (Chapter 8). The classification of speech-acts follows a scientific second-order²⁹ approach. Speech-acts are categorised according to the dimensions of pragmatic space and established concepts of speech-act theory, e.g. illocutionary point, felicity conditions, etc. (see Searle, 1993). The scientific-theoretic approach is combined with a first-order approach. On the first-order level, court-records are searched for participants' evaluations of speech-acts as verbal offences. Distinctions between first-order and scientific-theoretic notions are indicated by marking first-order metalinguistic labels in italics, e.g. *slander*, while rendering scientific-theoretic terms in normal font, e.g. slander. For correspondence, such investigations are not feasible. Often the utterances in question are not cited or it is unclear which expressions in a letter caused offence.

²⁹ For the distinctions between first-order and second-order perspectives, see Section 2.2.

Limitations of primary sources affect the analysis of pragmatic space dimensions. Court-records can be vague. It is not always clear who initiated a lawsuit or if targets (or plaintiffs) were present when verbal offences were uttered. Occasionally, utterances are not clearly assigned to participants. As a result, it cannot be discerned who said what to whom. Furthermore, the levels of ritual versus creative behaviour and context-dependence cannot be systematically examined. Investigations into the ritual structures of flyting, for instance, require access to longer stretches of discourse and realisation patterns of speech-acts. Many utterances in court-records are rendered indirectly or as fragments. Often, only slanderous nominal terms, e.g. *whore*, were recorded, whereas the flyting exchange which presumably set the context for such name-calling was omitted. Since flyting might not be consistently labelled as *flyting* in legal records, it is difficult to establish if flyting had taken place on the basis of fragments of spoken interactions. Likewise, the data do not permit robust distinctions between conventionalised and particularised speech-acts. Present-day researchers lack period-specific intuitions about such distinctions (Jucker and Taavitsainen, 2000: 76). Frequency patterns can offer glimpses. High-frequency expressions, for instance, are likely to have been conventionalised at the time. Low-frequency items, however, cannot be assumed to be particularised in any case. In a small amount of data, low occurrences might be due to the selected material while the expressions in question might still have been conventionalised (see Chapter 8 for examples).

Moreover, the relation between speech-act and utterance can be complex. Utterances can have more than one speech-act function in the same situation (Jucker, 2000a: 29, Searle, 1993: viii). For example, if a participant says to another that he will have her burnt as a witch the utterance can be interpreted as slander and threat at the same time. Such multiple functions are considered accordingly.

3.3. Indicators of verbal offences

Several indicators are taken into account to identify verbal offences/aggression in the data. Some indicators were more salient in letters, while others were more typical of court-records. The indicators discussed below may be categorised as metacommunicative, pragmalinguistic and contextual.

The metacommunicative level pertains to expressed first-order understandings of verbal offences. Analogous to Culpeper's (2011a: 73-74) term "impoliteness metadiscourse",

verbal offence metadiscourse broadly refers to comments made by people about utterances which they regard as offending either to themselves or others. Culpeper (2011a: 74) distinguishes between “metapragmatic comments” and “metalinguistic labels”. Metapragmatic comments are judgements “about the pragmatic implication of utterances, their functions, indexical relations, social implications, and so on” (Culpeper, 2011a: 74). Metalinguistic labels are lexical choices, usually consisting of one word, which convey “an evaluation of certain behaviour-in-context as impolite” (Culpeper, 2011a: 74). Metapragmatic comments are defined as larger units of impoliteness metadiscourse, usually of utterance-length, of which metalinguistic labels are key elements (Culpeper, 2011a: 74). The distinction is adopted for the broader concept of verbal offences/aggression in this study.

Through close readings of letters and court-records three indicators of verbal offence metadiscourse have been defined: metalinguistic labels, apologies, and criticism/complaints. The aim of retrieving these metacommunicative indicators is twofold. In addition to locating verbal offences in the data, they provide the evidence for reconstructing the metalanguage of offence; for example, finding the metalinguistic labels used in early modern Scottish law-courts to judge verbal offences of spreading false rumours about someone.

Apologies and criticism/complaints are metapragmatic comments. Apologies represent self-oriented offence judgements. Through apologising, speakers convey a sense of “responsibility” for some “transgression” (Deutschmann, 2003: 44). Thus, someone who apologises for a particular linguistic behaviour evaluates his or her own behaviour – at least on the surface – as potentially offensive. Colin Campbell, the 6th laird of Glenorchy, for example, apologised to his chief, the 5th earl of Argyll, for his harsh letter, in which he criticised his chief for lack of support: *I pray 3our lordship to apardone me for writting to 3our lordship sa scharply* ‘I pray your Lordship to forgive me for writing to your Lordship so harshly’ (MS NRS GD112/39/12/13). The apology in this case framed a complaint, conveying the writer’s perception of the face₁-threatening risk of that complaint and the attempt to mitigate its potential negative effects (see Brown and Levinson, 1987: 187-190). Apologies can be “Anticipatory” or “Retrospective” depending on their “temporal” occurrence in conversations (Deutschmann, 2003: 60). Anticipatory apologies serve to minimise anticipated negative consequences before an offence has been committed (Deutschmann, 2003: 60-61). Colin Campbell’s request for forgiveness signalled to his chief that “a potentially unwelcome statement” was about to follow (Deutschmann, 2003: 60). Retrospective

apologies are attempts of repair “uttered after an offence has taken place” (Deutschmann, 2003: 61).

Complaints and criticism, whether mitigated or unmitigated, can also serve as indicators of verbal offences, especially complaints pertaining to the managing of relationships. Unlike apologies, criticism and complaints are other-oriented offence judgements. They convey speakers’ negative attitudes towards the behaviour of someone other than themselves. For example, Dougal Campbell of Auchinbreck criticised his clansman, the 6th laird of Glenorchy, for delaying an important response to his previous letter: *and this I thocht guid to advertise you of my mynd | **nochtwithstanding that ze write nocht sa speciallie to me*** ‘And I thought it good to inform you about my thoughts, although you do not write so specially to me’ (MS NRS GD112/39/11/7, emphasis mine).

Principles of studying metalinguistic labels are conditioned by the nature of the available data. In comparison with court-records, metalinguistic labels appear to be less common in correspondence. To exhaust the small letter corpus, any metalinguistic label has been considered as long as it referred to verbal aspects of an offence and as long as the cause of offence was sufficiently clear. By contrast, court-records yielded more material than was manageable within the present conditions (see Section 3.7). Court-records have the advantage over correspondence in that utterances of previous events were recorded if they were regarded as crucial legal evidence. Thus, it is possible to link verbal offence labels to the linguistic behaviour which gave rise to negative evaluations. Because of the insights gained from a combined examination of offence judgements and cited evidence of offensive language use, metalinguistic labels are only considered in court-records if they refer to in/directly rendered utterances (see Section 7.5.1 for further details). Exceptions were made if non-cited utterances were defined in-context as being of the same kind as cited utterances, for example, metalinguistic labels referring to repeated offences. The range and raw figures of metalinguistic labels presented in Chapter 8 would be different if all metalinguistic labels had been collected.

Pragmalinguistic aspects are considered to complement the metacommunicative level. Metadiscourse does not reliably define verbal offences (Archer, 2011b: 10, Kádár and Haugh, 2013: 199). Metapragmatic comments and metalinguistic labels can be absent or used inconsistently. For court-records, in/direct renderings of utterances were therefore also checked for indicators of verbal antagonism, for example, derogatory expressions or

threats.³⁰ Derogatory expressions can be abusive nominal terms, e.g. *thief*, or depreciatory attributes, e.g. *false doctrine*. The OED and DOST are used as reference-points to verify if expressions actually had derogatory meanings in the investigated period.

The context of conflict-situations supplies further evidence for verbal offences or aggression. If cited utterances in court-records were used as incriminating evidence against defendants in lawsuits, they were interpreted at least by the prosecution as offensive. Such evidence is decisive, especially if other indicators are missing. Furthermore, the context of utterance-events is searched for reports of physical violence or negative emotion, such as anger.

Reported verbal attacks in correspondence or court-records may not in any case be evidence of verbal offences. Whether elements such as negative emotion, physical violence, derogatory expressions or threats were seen as offensive or legitimised is contingent on the specific conflict-situation. They are taken as indicators of verbal aggression unless they are accompanied by metacommunicative or other contextual indicators which clearly convey an understanding of offence.

3.4. Mapping meanings with the *Historical Thesaurus*

Conceptual mappings of the metalanguage of (im)politeness are a key method for examining lay-persons' conceptions of social conduct and offence (Culpeper, 2011a: 71-112, Kádár and Haugh, 2013: 188-193). The large inventories of verbal offence terms obtained from the investigated court-records afford categorising the terms into semantic fields. By comparison, the findings for conflict-letters were too limited to show conceptual patterns. Therefore, the following method is only applied to court-records. The online HTOED is used as a reference-point for developing conceptual mappings of metalinguistic labels and derogatory expressions. Culpeper's (2011a: 94-100) semantic categories are defined to capture present-day impoliteness metalinguistic labels and thus might not provide a suitable framework for verbal offences in historical data. The hierarchical classification-system of the HTOED was developed to account for words and their meanings across all periods of the history of English (Kay et al., 2009: ix-xxvii). Obviously, a categorisation of all words in the OED differs in aim and scope from mapping the language of verbal offences. Although many categories in Figure 3.2 below are derived from the HTOED, some

³⁰ In correspondence, offensive/aggressive language use is often not preserved or vague (see Section 3.2).

categories had to be modified because HTOED categories were too broad for the present purposes. Mappings for a particular period and genre require some re-categorisation to capture more context-specific meanings. Religion and the supernatural, for instance, are defined as separate fields in the HTOED because such a distinction seems more adequate for the long time-span covered by the OED (Kay et al., 2009: xix). For mappings in Chapters 8-9, the supernatural is integrated into the religious domain since beliefs in hell and the devil were an inseparable part of early modern Scottish religious doctrine.

The OED contains many Scots words; therefore, the present lack of a historical thesaurus of Scots was largely compensated by the *Historical Thesaurus of the OED*. For Scots words that were not in the OED, DOST entries were used as guidance for determining suitable semantic categories. Future studies on historical Scottish texts will certainly profit from the *Historical Thesaurus of Scots*, which is currently being developed at Glasgow University.³¹

Figure 3.2 shows a template for grouping metalinguistic labels of verbal offences in semantic fields. Font-size and lines reflect the hierarchical structure of categories. Labels in the largest font and small caps are higher-level categories, e.g. **BREACH OF MORALS**. The size of higher-level categories is indicated below category labels by the total number of different metalinguistic labels, followed by the total occurrences of all metalinguistic labels in that category, e.g. n = 35/259. Smaller labels in bold represent lower-level categories, e.g. **damage to reputation**. They are subordinated to higher-level categories by lines. Labels in italics are verbal offence terms found in the data, e.g. *slander*. For each item, raw figures are given in brackets. Items belonging to the same category are ordered first by frequency and then alphabetically. Different parts-of-speech of a lexical item are subsumed under one label, representing a lexical cluster. For example, the lexical cluster *slander* subsumes *slander* (v.), *slander* (n.), *slandorous*, etc. The positioning of categories and lexical items indicates relations and overlaps between categories, as far as permitted by space limitations. The label *offence*, for instance, has multiple meanings in the HTOED as moral “wrongdoing” and as “crime”. In the investigated data, *offence* appears to be closer to the

³¹ For more information, see <http://www.gla.ac.uk/schools/critical/research/fundedresearchprojects/historicalthesaurusofscots/>.

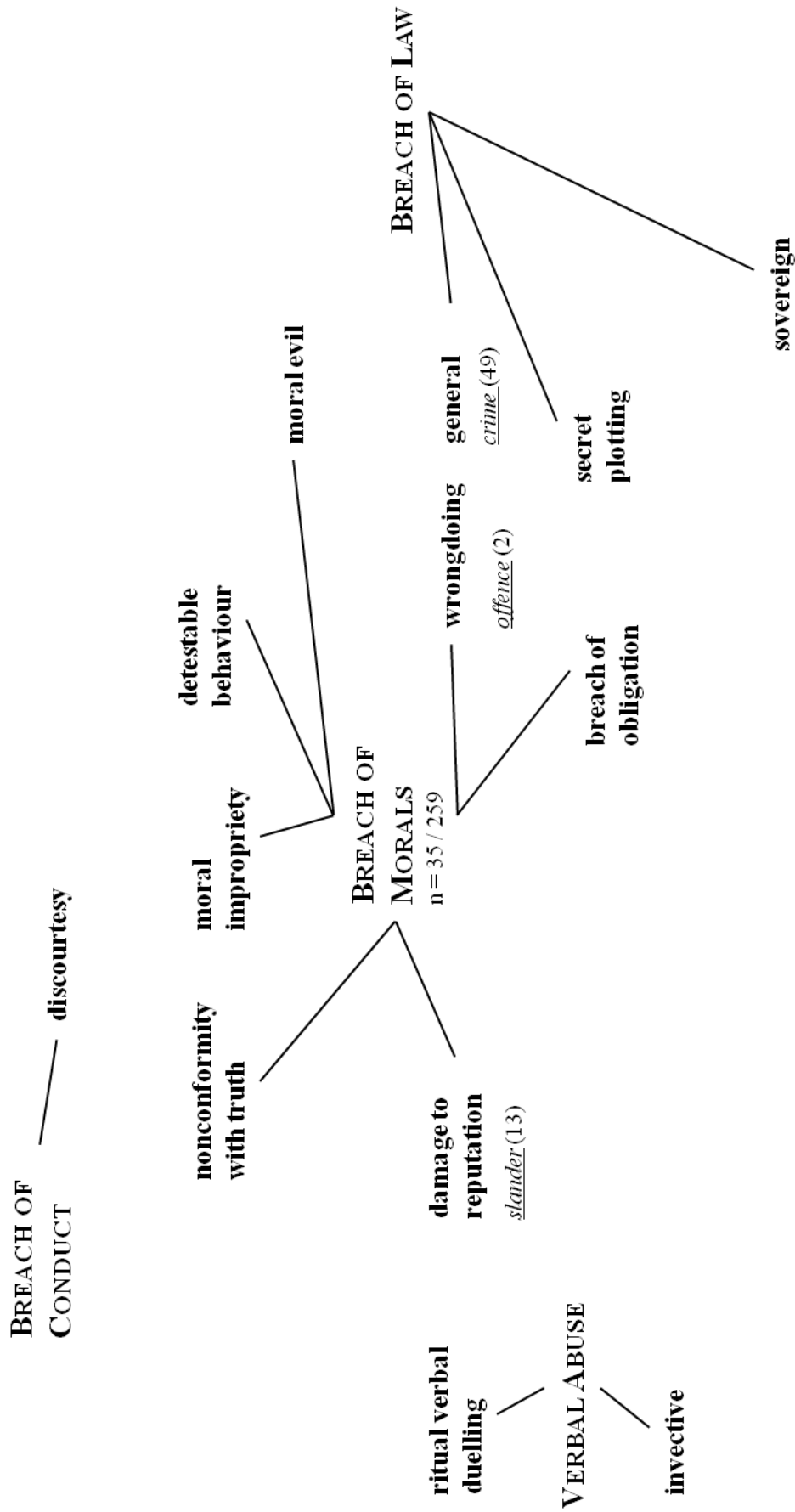


Figure 3.2: Template for conceptual mappings of verbal offences

concept of moral wrongdoing; however, the distinction between morals and law can be blurred (see Schilling, 1987). Therefore, the label is close to the breach of law category. The template in Figure 3.2 is adjusted for the various conceptual maps presented in Chapters 8-9 according to the categories needed in each map. Structuring principles, as outlined in this section, remain the same across all maps.

3.5. Constituents of verbal offences

After collecting indicators of verbal offences/aggression from the data and embedding them in their socio-historical context, investigation may proceed on a more abstract level with relating first-order perceptions to constituents of impoliteness. As shall be demonstrated in subsequent chapters, Culpeper's (2011a: 48-70) impoliteness constituents are applicable to verbal offences in a broader sense. This investigation focuses on face and social rights/obligations³², which is why they receive more attention in the development of the present framework. Intentionality and emotion have been taken into account only as far as the sampled letters and court-records offer evidence for these constituents. Otherwise, too much speculation is involved in assigning intentions and feelings to interlocutors. While Culpeper's (2011a) definitions of intentionality and emotion have been discussed in Section 2.4, the specific categories of face and social rights/obligations are reviewed below. For each constituent, suggestions are made about how they can be approached in historical data.

3.5.1. Face

Because Culpeper's (2011a) face concept is derived from Spencer-Oatey's (e.g. 2002, 2005, 2007) and Goffman's (1967)³³ definitions, it is also subject to Arundale's (e.g. 2013a) criticism (see Section 2.4). Similar to Kádár and Haugh's (2013: 81-105) argument that politeness can and should be investigated from multiple perspectives (Section 2.2), I see both Arundale's and Spencer-Oatey's views as important for understanding face. Arundale's (2009, 2010, 2013a) co-constructivist view contains a highly abstract conceptualisation of face. As a scientific-theoretic concept, face cannot be person-centred, as this would make it a more static property residing in individuals (Arundale, 2013b). Spencer-

³² Spencer-Oatey's (2002a: 14) term *sociality rights* has associations of "friendliness" and "sociability" (OED). Social rights in the data of this study cannot be reduced to those aspects. Therefore, the label *sociality* is replaced by the broader term *social rights/obligations*.

³³ For Goffman's (1967) definition of face see Section 2.4.

Oatey's (2013a: 150) position stresses first-order perceptions of face. Participants' understandings of face can be shaped by other participants' views or social norms, but they are located in psychological processes of individuals. A face concept based on first-order notions helps to examine different participant perspectives of themselves and others at specific moments in interaction.

This study investigates first-order perceptions of face in conflict-situations and therefore appropriates Spencer-Oatey's (e.g. 2005, 2007) descriptive categories. Arundale's (e.g. 2010) arguments provide the epistemological foundations for embedding first-order notions in a more abstract model of face. Distinctions between scientific-theoretic and first-order notions of face are sustained in this study by different sets of terminology. Categorisations of first-order understandings of sensitive aspects of identity and social relationships are labelled *face*₁. Observations of participants' perceptions of face in the data are discussed with terms conveying a sense of person-centred property, e.g. reputation, public self-image, self-aspects, etc. Participants' joint negotiations of such understandings are denoted by *face*₂. *Face* without subscript numbers is used to discuss approaches which combine first-order and scientific-theoretic concepts.

Spencer-Oatey (2007) categorises *face*₁ into three dimensions of self. *Quality-face*₁, i.e. the individual aspect of *face*₁, is defined as follows:

We have a fundamental desire for people to evaluate us positively in terms of our personal qualities; e.g. our competence, abilities, appearance etc. *Quality face* is concerned with the value that we effectively claim for ourselves in terms of such personal qualities as these, and so is closely associated with our sense of personal self-esteem.

(Spencer-Oatey 2002b: 540)

The interpersonal dimension corresponds to "relational face" (Culpeper, 2011a: 27, 29). *Relational* captures sensitive aspects of relationships between participants and how these relationships are "managed or negotiated" (Spencer-Oatey, 2007: 647). The third sub-category, *social-identity face*₁, comprises collective components of *face*₁:

We have a fundamental desire for people to acknowledge and uphold our social identities or roles, e.g. as group leader, valued customer, close friend. *Social identity face* is concerned with the value that we effectively claim for ourselves in terms of social or group roles, and is closely associated with our sense of public worth.

(Spencer-Oatey, 2002b: 540)

Culpeper (2011a: 26-31) notes that relational face₁ and social-identity face₁ “overlap” in their social-role aspects. To refine the distinction, Culpeper (2011a: 29) subsumes identity aspects of social roles under social-identity face₁, and aspects of role relationships under relational face₁. Based on Chen, Boucher and Parker Tapias’s (2006: 153, 160) concept of the relational self, Culpeper (2011a: 30, original emphasis) redefines relational face₁ as “*positive values about the relations which a participant claims not only to have with a significant other or others but to be assumed by that/those significant other(s) and/or participant(s) as having*”. This definition clarifies the distinction between relational face₁ as involving “unique relations between individuals” who know each other, and social-identity face₁ as referring to group-membership in more general terms (Culpeper, 2011a: 30).

These three categories of face₁ have been useful in distinguishing between different dimensions of self in investigated conflict-situations; however, they are insufficient in accounting for group dimensions in social interactions of early modern Scottish clans and communities. Kádár et al. (2013: 344, 348) argue convincingly that Goffman (1967) and Spencer-Oatey (2005) define collective face₁-dimensions as located in the individual. Hence, their theories need to be modified to account for manifestations of group-face₁ as distinct from individual face₁.³⁴ Taking Kádár et al.’s (2013) argument into consideration, Spencer-Oatey’s (2005) face₁-categories are adapted to include the full spectrum of individual-based to group-based relationships and social identities. The interpersonal level of relational face₁ is conceptualised as a continuum from relationships between two people to intergroup relations. Spencer-Oatey’s (2005: 107) individual-based definition of social-identity face₁ is expanded to include social identities of groups. Quality-face₁ is retained as the most individual dimension of face₁ as it concerns self-aspects which are “*specific*” to a person (Culpeper, 2011a: 28, original emphasis).

Furthermore, I propose two aspects of relational face₁ to capture sensitivities determined by hierarchical relationships and group-membership. In view of the historical evidence for hierarchical social-role relationships and social interdependence within and between groups, I suggest social-role face₁ and social-network face₁ as shorthand terms for the present analysis. Social-role face₁ is defined as relational face₁ derived from fulfilling social-role responsibilities. Culpeper’s (2011a: 29) definition of relational face₁ already includes relational aspects of social roles. For this study, individual and collective components of social roles are further differentiated. Individual social role face₁ concerns the personal

³⁴ This extension is also mentioned by Bousfield (2013: 40).

performance of one's social obligations towards another individual or group. Collective social-role face₁ is determined by the social obligations of a group towards an individual or another group. Collective social-role face₁ can be mediated through individuals (see Chapter 4). For example, the reputation of a head of a group or institution can be affected by the actions committed by or against inferior members of that group/institution. This notion of repercussions on the public self-image of group-representatives or institutional representatives can be elucidated by Leech's (2007: 194) concepts of "self-territory" and "other-territory". The distinction between self- and other-territory is constituted by understandings of what lies within or outwith a person's or group's "domain" (Leech, 2007: 194). Boundaries between self and other are not pre-existing but discursively constructed.³⁵ If superiors are held accountable for inferior members of their groups/institutions by means of their social roles, their self-territories extend beyond their individual selves. Individual and collective dimensions of group/institutional representatives' self-concepts are distinguished according to whether their social-role face₁ is threatened by their own (individual) actions or by actions committed by or against people within their group/institution.

The second term, social-network face₁, is an aspect of relational face₁ defined by group-membership. Like social-role face₁ it can have individual and collective components. People can be concerned with their position as individuals within a social network. Social-network relations can be managed among individual members. If members act as representatives of their groups, the managing of relationships has collective implications. Social-network face₁ is similar to the Chinese face-aspect *mianzi*, which, according to Arundale (2013c: 290), has been neglected by Goffman (1967).

For the analysis of social-network face₁, I draw on Bucholtz's (1999) discursive approach to identity construction and social network analysis. Kádár et al. (2013) stress the usefulness of Bucholtz's (1999) concepts of association and dissociation for analysing face in intergroup and intra-group interactions. Participants employ *associative identity claims*³⁶ to assert closeness with in-group members and to specify group-ties. *Dissociative identity*

³⁵ See below for Bucholtz's (1999) discursive model of identity construction.

³⁶ Bucholtz's (1999: 211) terminology, i.e. "NEGATIVE [... and] POSITIVE IDENTITY PRACTICES", is replaced by Kádár et al.'s (2013: 347-348) alternative terms "[a]ssociative"/"[d]issociative identity practices" to avoid unwanted confusion with Brown and Levinson's (1987) positive and negative politeness. Moreover, *claim* is preferred over *practice*. *Practice* has been restricted by Bucholtz and Hall (2004: 377) to habitual behaviour, while *claim* can stand for both habitual and strategic behaviour.

claims comprise linguistic devices³⁷ by which participants “distance themselves from a rejected identity” and draw boundaries between themselves and “other groups and their values, behaviours, etc.” (Bucholtz, 1999: 211-212). Unlike Brown and Levinson’s (1987) notions of positive/negative politeness, Bucholtz’s (1999) categories are not linked to politeness. The absence of prescribed politeness values is advantageous because it allows for context-specific attitudes towards closeness or distance. Bucholtz’s (1999) concepts have to be complemented by period- and context-specific notions of power differences and hierarchical structures within or between groups, since these aspects are not covered in her approach.

The investigation of association and dissociation is enriched by social network analysis. A social network is constituted by the various relationships which an individual has with others, including the total number of established social ties as well as their different types and strengths (Chambers, 1995: 71-72, Milroy, 2000: 217). Lesley Milroy’s (1980) framework is used in modern and historical sociolinguistics to investigate language variation and change in communities (Chambers, 1995: 67, Milroy, 2000: 217). The interest in social network analysis in this study is driven by different research questions. Social network analysis is employed to reconstruct social-network aspects of relational face₁ and private-public dimensions in 16th-century Scottish correspondence (see Chapter 4). The focus is on how correspondents negotiate their social ties to others as part of reported offences. Milroy’s (1980: 139-145) network-strength scale provides a useful tool for capturing such negotiations systematically because it permits assessing core and peripheral positions of participants in a given situation. Milroy’s (1980) network-strength scale can be modified for specific research purposes (Chambers, 1995: 75-77). Bax (2000: 282), for instance, adapts the scale to his study of a network of 18th-century English correspondents. In Chapter 4, I will propose a scale for social network relations in 16th-century Scottish correspondence.

3.5.2. *Social rights and obligations*

Similar to the different levels of face₁, Spencer-Oatey (2005) defines personal and social elements of social rights. As personal aspects of social rights, *equity rights* apply to people’s “fundamental belief[s] that they are entitled to personal consideration from others”

³⁷ Language is not the only means through which people construct identities and group-membership. Other devices include, for example, dress or the choice of leisure activities (Bucholtz, 1999: 213). The focus in this study, however, is on language.

(Spencer-Oatey, 2005: 100). Equity rights are associated with three components: “cost-benefit considerations”, e.g. the entitlement to non-exploitation, “fairness and reciprocity (the belief that costs and benefits should be ‘fair’ and kept roughly in a balance)” and “autonomy-control”, i.e. the entitlement to non-imposition (Spencer-Oatey, 2005: 100). In contrast to Brown and Levinson’s (1987: 61) negative face, Spencer-Oatey (2002a: 15) conceptualises non-imposition as a personal right. Autonomy and non-imposition may not be face-issues in certain cultural contexts (see Gu, 1998, qtd. in Spencer-Oatey, 2005: 102). While Spencer-Oatey’s framework can account for situations in which a breach of non-imposition is additionally perceived as a face-threat, it also provides a more adequate description of contexts in which non-imposition is not assumed as a face₁-want.

Association rights complement equity rights by delineating people’s expectations with respect to their social entitlements:

[...] people have a fundamental belief that they are entitled to an association with others that is in keeping with the type of relationship that we have with them. This principle [...] seems to have three components: involvement (the principle that people should have appropriate amounts and types of ‘activity’ involvement with others), empathy (the belief that people should share appropriate concerns, feelings and interest with others), and respect (the belief that people should show appropriate amounts of respectfulness for others).

(Spencer-Oatey, 2005: 100)

Activity-involvement refers to “the type and extent of our involvement with others”, e.g. the balance between being ignored and overwhelmed by attention (Spencer-Oatey, 2002a: 15). The weightings attributed to equity and association rights, and to their components, vary across cultures and individuals (Spencer-Oatey, 2005: 99).

Culpeper (2011a: 42) adds two categories to Spencer-Oatey’s sociality rights: taboo language and “physical self”. Taboo language, e.g. swearing, is a breach of “social conventions” rather than a face₁-concern, albeit face₁ may not be irrelevant (Culpeper, 2011a: 42). Taboo language mainly serves to vent negative emotions; however, taboo terms combined with face₁-aggravating behaviour can “exacerbate the face threat” (Leech, 2014: 230). Physical self pertains to the right of not being intimidated by others through language use with implications of physical violence (Culpeper, 2011a: 42-43).

While Culpeper’s (2011: 42-43) categories of taboo language and physical self are attested as components of verbal offences in early modern Scottish texts, Spencer-Oatey’s (2005: 100) distinction between equity and association often seems inadequate to describe per-

ceived breaches of social rights/obligations. Equity and association are concepts of “rapport relations”, which “concern the affective quality of people’s relations” (Spencer-Oatey, 2011: 3576). Spencer-Oatey (2011: 3576) has recently distinguished rapport-relations, which are the focus of her work, from other types of relations, namely “strategic” and “sociality relations”. Strategic relations concern “power relations and distance/closeness relations of the participants” and how “these elements are negotiated, challenged, upheld” (Spencer-Oatey, 2011: 3576). Such relations are managed for a purpose that goes beyond the relations themselves, for example, relations at work. In contrast, sociality relations are maintained through social activities such as small talk (Spencer-Oatey, 2011: 3576). Relations in the samples of this study are primarily determined by strategic aspects, while affective and social elements are often secondary. In many cases, verbal offences occurred while people were managing the practical affairs of their households, kin-groups, communities, trades or institutions (see Chapters 4-9). Especially in the investigated correspondence, social rights/obligations seem to be defined first and foremost by strategic types of relationships between participants, which shape expectations of social entitlements (see Chapters 4-5). As a result, understandings of equity are inextricably intertwined with concerns of association rights. For example, a clan-member’s complaint about not receiving enough support from his chief concerns equity rights, as the clan-member would stress how much the chief had profited previously from his loyal services. Perceptions of costs and benefits are mixed with association rights, as the chief should show interest in the welfare of his inferior kin (see Chapter 5). Because it is often difficult to assign a perceived breach of social rights/obligations to either equity or association, the distinction has been abandoned for this study.³⁸

Instead of the equity/association distinction, a set of dimensions is designed to reconstruct social rights/obligations in historical data. The first dimension encompasses individual and collective components of social rights. If Spencer-Oatey’s (2005: 100) distinction between equity as “personal” and association as “social” entitlements was developed to capture this dimension, I would argue that it does not sufficiently take group concerns into account. As noted by Leech (2014: 46), Spencer-Oatey defines sociality rights as “claims of the individual person in the forefront”. This study instead proposes that the components listed under equity and association can be claimed by individuals as well as collectives. Individual and collective are conceptualised as a continuum to account for complex interrelations between the two aspects, e.g. participants claiming social rights as group-members.

³⁸ The lack of clarity of the equity/association distinction is also noted by Leech (2014: 46).

Other dimensions developed for this study concern the social foundations on which participants claim social rights/obligations. People can have expectations of social rights based on their relational proximity with others. Relational proximity is understood as a scale of horizontal closeness versus distance between people, similar to the notion of “social distance” in Brown and Levinson’s (1987: 74) and Leech’s (1983: 126) theories, but understood as discursively constructed (see Section 2.5.1). A second foundation for claiming social rights is interpersonal contracts.³⁹ Social rights/obligations in contractual relations are derived from spoken or written agreements between people. Such agreements can range from a one-off promise to attend a meeting to formations of long-standing alliances. Contractual relations are not established for the sake of familiarity or intimacy but to achieve more task-oriented goals, such as mutual military support in times of need. Thirdly, people’s beliefs that they are entitled to certain rights can be shaped by social norms pertaining to their relative vertical social position vis-à-vis others, e.g. a king’s claim to obedience from his subjects. According to Leech (2014: 289), power and status are much more central to politeness in earlier periods of English than to LModE politeness. Since hierarchy was fundamental to social relations in early modern Scotland (Whyte, 1997: 29), it has to be one of the key dimensions of social rights/obligations. The hierarchical dimension basically consists of three directions: claims made towards superiors, equals or inferiors.⁴⁰ These three foundations of social rights/obligations have been derived from data-analysis and by consulting historical research⁴¹ on early modern Scotland. They need not be mutually exclusive. When they co-occur in a specific context, one might be more salient to participants’ understandings of their social rights/obligations in that situation. Sometimes, reports of verbal offences give no indication as to which of the three aspects shaped notions of breached social rights. In such cases, the wider socio-historical context is taken into account to identify plausible factors.

Components assigned by Spencer-Oatey (2005: 100) to equity or association are integrated in the abovementioned dimensions as follows: cost-benefit considerations and concerns about fairness and reciprocity are determined by the kind of interpersonal contracts established between participants and by their hierarchical relationships. In hierarchically asymmetrical relationships, superiors’ and inferiors’ obligations towards each other are differ-

³⁹ The concept of interpersonal contract differs from Fraser and Nolen’s (1981) conversational contract. Their concept refers to rights and obligations in conversations, e.g. conventions of turn-taking or deference, whereas interpersonal contracts determine rights and obligations concerning participants’ strategic relations.

⁴⁰ Relations of hierarchical symmetry or asymmetry are derived from Brown and Gilman (1960: 257-259).

⁴¹ See Chapters 4-9 for references.

ent. Hence, reciprocity is achieved by each party fulfilling their socially-defined duties towards the other (see Chapter 4). The right to autonomy-control can pertain to aspects of relational proximity, interpersonal contracts and hierarchy. How these dimensions shaped notions of imposition needs to be investigated in the specific context of interactions. A higher hierarchical status does not necessarily entitle to less imposition. Clan-members belonging to the chief's inner circle could advise and criticise him without appearing to infringe his right to non-imposition (see Chapter 5). Regarding components of association rights, activity-involvement depends on the relational proximity between interactants (see Chapter 5 for an example). The component of shared concerns is a valid aspect for investigating social rights in 16th-century Scottish correspondence, but the label "empathy" seems inadequate (Spencer-Oatey, 2005: 100). Members of Scottish social networks did not share concerns of others "by imagining what it would be like to be in their situation", which is the definition of *empathy* given in the *Cambridge Dictionaries Online*. Instead, they did so because what happened to their kin, vassals or allies was part of their self-territory,⁴² and thus part of social obligations underpinned by relational proximity and interpersonal contracts. Finally, notions of respect are determined by intersecting dimensions of hierarchy and relational proximity. Social closeness within hierarchical relationships can expand inferiors' rights to criticise their superiors without being perceived as disrespectful (see Chapters 5-6 for examples).

3.5.3. *Intentionality*

Following Spencer-Oatey's (e.g. 2005) and Culpeper's (2011a: 49-50) perception-oriented approaches, this study regards intentionality as emerging in interaction rather than pre-existing in speakers' minds. This view is embedded in Arundale's (1999) co-constructivist model of conversation. Participants make judgements about speakers' intentions and negotiate their perceptions. Such judgements are "available for analysis", in contrast to cognitive processes, which are not directly accessible (Culpeper, 2011a: 49). When intentionality is taken into account in this study, the focus is on the discursive reconstruction of *inferred* or *ascribed* speaker-attitude, i.e. how participants – including speakers – comment on intentionality. Participants may distort speaker-attitude on purpose to present others in a bad light, for instance, to make a stronger case for legal conviction.

⁴² Leech's (2007: 194) concept of self-territory is defined in Section 3.5.1.

Next to metapragmatic comments, analysts may use contextual information to assess speakers' motives. Culpeper et al. (2003: 1552) argue that "'plausible' intentions can be reconstructed, given adequate evidence". Sources of adequate evidence are the communicative situation and prosody (Culpeper et al., 2003: 1552). While the latter is not preserved in early modern data, sufficient contextual information to construe plausible intentions tends to be available for well-documented and well-researched interactions in the past, as for instance, letters between James VI and Elizabeth I (see Chapter 6).

3.5.4. Emotions

Emotions can be attested for any participant in an impoliteness event. Culpeper's (2011a: 60) research concentrates on targets' emotional reactions. The focus seems motivated by methods of data-collection. Culpeper (2011a: 62-63) asked informants to submit diary-reports of events in which they had taken offence, and to describe their emotional reactions. This kind of elicitation encouraged informants to use metalinguistic labels of emotions in their reports, which could then be grouped in semantic categories (Culpeper, 2011a: 63-65).

Since historical data cannot be collected through elicitation, historical pragmaticists can reconstruct emotions only as far as people in the past commented on them in writing. As a matter of fact, emotional responses do not seem to surface sufficiently in early modern Scottish letters and court-records to permit systematic investigation. Although it is plausible that targets' and other participants' experiences of offence were accompanied by negative feelings of some kind, emotion labels rarely refer to reactions. Emotion labels in court-records tend to attribute negative feelings to offenders, such as *anger* or *hatred*. Such attributions served to construct offenders' criminal motives. For example, *enmity* felt by the alleged witch towards her victim was a key element of witchcraft accusations (see Section 8.5). Negative emotions on the speaker's part should not be equated with impoliteness (Culpeper, 2011a: 60). Hence, further indicators are required to establish an understanding of offence (Section 3.3).

3.6. Private-public dimensions of conflicts

This section adapts Landert and Jucker's (2011) multi-scalar model for the current purposes of analysing private-public dimensions of verbal conflicts in early modern corre-

spondence and court-records. Landert and Jucker's (2011) and Landert's (2014) investigations focus on one modern genre. By comparison, this study contrasts two genres with different overall degrees of private and public, shaped by their historical context.

Of the scales proposed by Landert and Jucker (2011: 1426-1428) and Landert (2014: 30) (see Section 2.7), accessibility and topic privacy are relevant to the present analysis. Accessibility in this study refers to access to conflict-situations. Theoretically, it is possible to distinguish between potential and actual access to a communicative setting (Landert and Jucker, 2011: 1428). In historical data, however, establishing the precise number of participants who had access to the interaction in question is often not feasible because of missing contextual information. Potential access therefore tends to be a more useful analytical concept.

Verbal offences reported in letters or lawsuits consist of different levels of accessibility. The most immediate level is defined by access to the offence-setting, i.e. the situation in which the offence is committed. Access to an offence can also be gained retrospectively through an offence-report, i.e. hearing about an offence from someone who was present at the offence-setting. An offence-report need not be a singular event, but can be made on successive occasions and thus circulated more widely. If we keep these levels distinct, we can take into account shifts in accessibility not only between different conflicts but also within the same conflict.

Offence-settings and offence-reports can have different communicative constellations. Targets may not be present in offence-settings and bystanders may not have access to follow-up interactions in a conflict. To describe these nuanced aspects of access, Landert and Jucker's (2011: 1426) scale is complemented by Levinson's (1988) participant-roles and Bell's (1984, 1997, 2001) referee-design.

Levinson (1988) develops Goffman's (1981) participation-roles by adding further distinctions.⁴³ Following Goffman (1981) and Hymes (1972: 58), he argues that many communicative contexts are more complex than a simple speaker-hearer dyad (Levinson, 1988: 165, 174, 222). Participants design utterances not just for the addressed recipient but for any other participants who have access to the message (Levinson, 1988: 221). Levinson (1988: 222) links his framework to private-public dimensions by associating interactions between one speaker and one recipient with "privacy". Participant-roles fall into two main categories: production and reception. Definitions of speaker-roles are guided by the following production properties (Levinson, 1988: 171):

- Transmission: Who transmits the message?
- Message origin: Who is the actual source of the message?
- Motive: Who wants a specific message to be communicated?
- Form: Who devises the actual form of the message?

These properties are valuable for capturing communicative situations in which participants speak or write on behalf of someone else, e.g. letters written by amanuenses rather than encoders (see Chapter 4). For reception-roles, the following properties are proposed (Levinson, 1988: 174):

- Address: Is the message addressed to a specific recipient?
- Recipientship: Who is the intended recipient of the message?
- Participants: Who is ratified as part of the interaction?
- Channel-linkage: Who is able to receive the message?

The discussion of participant-roles concentrates on key aspects (see Levinson, 1988: 172–173 for an overview). Recipientship is separate from address to allow for situations in which the addressee may not be the intended recipient of the message. These properties apply to the reception-role of the "*intermediary*" (Levinson, 1988: 173, original emphasis). The distinction also accounts for the role of the "*indirect target*", i.e. an intended recipient

⁴³ Levinson's (1988) framework bears similarities to Bell's (1984) audience-design. The advantages of Levinson's (1988) model are that it offers a pragmatic, rather than a sociolinguistic, account of participant-roles. Bell's (1984) model is limited to face-to-face conversation. Definitions of audience-roles seem rather static and relate to the speaker's perspective only. By comparison, Levinson's (1988) view of participant-roles is more dynamic and differentiated, albeit some distinctions should still be added (see below). Bell's (1984) audience-design has been fruitfully applied to describe the impact of third-parties on aspects of linguistic (im)politeness (Nevala, 2004a, c, Mullany, 2011). Levinson's (1988) framework additionally captures different speaker-roles. For an alternative model based on Goffman's (1981) participation-roles, see Kádár and Haugh (2013).

who is not addressed (Levinson, 1988: 173, original emphasis). *Ratified* denotes participants that are acknowledged as being involved in the interaction. Ratified participants must have access to the message, while channel-linkage can also apply to non-ratified participants, such as overhearers (Levinson, 1988: 173). Non-ratified participants are not further distinguished with respect to ratified participants' awareness of their presence. This dimension is captured by Bell's (1984: 159) term "known": *Overhearers* are not involved in the conversation, but acknowledged to be there, whereas *eavesdroppers* are "parties whose presence is unknown" to speakers (Bell, 1984: 159).

Rather than being stable and clear-cut, participant-roles are "jointly negotiated" and continually redefined by all participants in the course of interactions and can be ambiguous (Levinson, 1988: 176, 199, 218). Taking shifting participant-roles into account, Levinson (1988: 193, original emphasis) defines an "utterance event" as "*the maximal unit within a turn in which the participant roles are held constant*". The concept can be used to break down conversations into units in which participant-roles can be analysed.

Levinson's (1988) participant-roles do not capture all the complexities encountered in the data of this study. Levinson's (1988) model has been developed for oral communication, including communicative contexts with physically absent participants, e.g. broadcasting. Still, it does not account for overlapping participant-roles in early modern letter-writing. A correspondent could be the intended recipient of a warning, while simultaneously being addressed as intermediary to pass on the warning to all his inferiors (see Chapter 5). It would also be more adequate to define the production properties of message origin, motive and form as scalar values. Correspondents writing letters on behalf of their superiors had varying degrees of autonomy in shaping the content and form of a message (see Chapters 4-5). Rather than simply being transmitters, those correspondents might have shared the desire to have the message communicated to some extent. Furthermore, the identification of participant-roles is designed for analysis at the utterance-event level. Although Levinson (1988: 192) notes that participant-roles exist on levels beyond that of the utterance-event, he does not elaborate on how utterance-events can be linked to the wider communicative context. His distinction between "participant" and "non-participant" is too narrow and confusing (Levinson, 1988: 171-174). If the composition, transmission and reception of a single letter can be defined as an utterance-event, the letter itself can embed reports of earlier utterance-events such as face-to-face interactions or previous letters. Although participants in earlier utterance-events may no longer be participants in that specific letter, they can still

be regarded as participants in the wider situation of a conflict. Additional dimensions are required to describe such multi-channel communication. A possible way forward would be to develop Bell's (1984) referee-design into a set of possible referee-roles and add them to Levinson's (1988) production/reception-roles. According to Bell (1984: 186), absent third-parties may also influence speakers' stylistic choices. Bell's (1984: 186) distinction between audience and referees needs to be redefined because it is based on people's physical presence in a communicative situation. For letter-writing, Levinson's (1988: 174) channel-linkage is more suitable than physical presence because it can account for addressees as physically absent, yet ratified and addressed participants. For the present purposes, I propose a new category of *participant-referee*. It applies to a person or group who does not have channel-linkage in a specific utterance-event, but who is still acknowledged as a participant in the wider communicative context.

The second private-public dimension, topic privacy, is redefined as conflict-scope. Analogous with Lander and Jucker's (2011: 1427) notion of "affected", the key question for conflict-scope is: how many people are affected by a conflict? Scalar notions of individuals VS collectives need to be refined with respect to individuals who are involved in conflicts as group or institutional representatives, e.g. a clan-chief or monarch. The larger the collective represented by such individuals, the higher they score towards a wider conflict-scope. However, the aspect of collective responsibility raises the question of how group and institutional representatives should be ranked in comparison with smaller to larger groups. Chapter 4 discusses how social network analysis can help to develop this issue of conflict-scope further.⁴⁴

Landert and Jucker's (2011: 1427-1428) scale of "linguistic immediacy" and Landert's (2014: 29-30) scale of "involving"/"non-involving setting" are not integrated into the present approach (see Section 2.7). Since perceptions of offence encountered in the data of this study do not pertain to linguistic aspects of (in)formality, the scale of linguistic immediacy is deemed less relevant. The scale of involving/non-involving setting was designed by Landert (2014: 29-30) to analyse features of personalisation, which again have been found not to be of importance in the sampled conflict-situations.

⁴⁴ The advantages of social network analysis to the modified private-public approach of this study can be better explained after providing more background information on letter-writing in early modern Scotland (see Chapter 4).

Instead, a new third scale is created to examine degrees of involvement in conflict-negotiation. In comparison with access to conflict-situations and conflict-scope, conflict-negotiation encompasses a separate dimension of who the people are who are involved in later stages of conflicts, for example, in reporting verbal offences or conflict-settlement. The key question for this scale is: how involved or detached are these participants with respect to conflict matters? Participants can, for instance, be immediately involved if they are conflict-parties, i.e. offender or offended. They can also be indirectly involved through being more or less closely connected to one of the conflict-parties, e.g. by kinship. Non-involved conflict-negotiation applies to situations in which conflicts are settled by more detached third-party intervention, e.g. by law-courts.

A model consisting of the three abovementioned scales – as visualised in Figure 3.3 below – allows for a more systematic analysis of private-public dimensions of conflict-situations than previous accounts in (im)politeness research (see Section 2.7). Following Dürscheid (2007: 24-31) and Landert and Jucker (2011: 1427), different sets of terms are used to refer to end-points of scales to maintain distinct terminology. Similar to these previous private-public models, the pair *non-public/public* is reserved for accessibility. The pair *private/non-private* is employed for describing extreme examples at the ends of all scales.⁴⁵ Conflict-scope and negotiation are labelled *limited/wide* and *involved/non-involved* respectively.

Points A, B, and C in Figure 3.3 below represent possible decompositions of private-public aspects of conflicts. A stands for a modern marital row in the couple's bedroom, thus having a limited conflict-scope and an offence-setting which is inaccessible to others. For the convenience of giving an example of a most private conflict, let us assume that their house is in a remote place, and if the couple has any children, they are away from home at the time of the quarrel. Thus, overhearers or eavesdroppers are very unlikely. Conflict-negotiation would be at the involved end as the row is settled between the spouses. If they fail to resolve their dispute, the matter might be brought before the local justice of peace. Such a development would incur a shift on the conflict-negotiation scale towards non-involved, as indicated by B. Arguably, the justice is not totally detached. As s/he lives in the locality, s/he might know the couple directly or indirectly. These two examples also show the interconnectedness of the scales. A shift on the negotiation scale implies an in-

⁴⁵ Dürscheid (2007), Landert and Jucker (2011: 1427), and Landert (2014: 30) use “private”/“non-private” to refer to news content/topic.

crease in accessibility as the dispute is reported to the justice and his/her administrators. Keeping the scales distinct is still relevant, for example, to capture differences between the institutional intervention of a local justice and a comparatively more involved intervention of the couple's family. C locates a non-private conflict at the other ends of all scales, namely the wide scope of a war between two countries combined with public access to information about the conflict through mass media. Moreover, the conflict is resolved through a non-involved institution such as the United Nations.

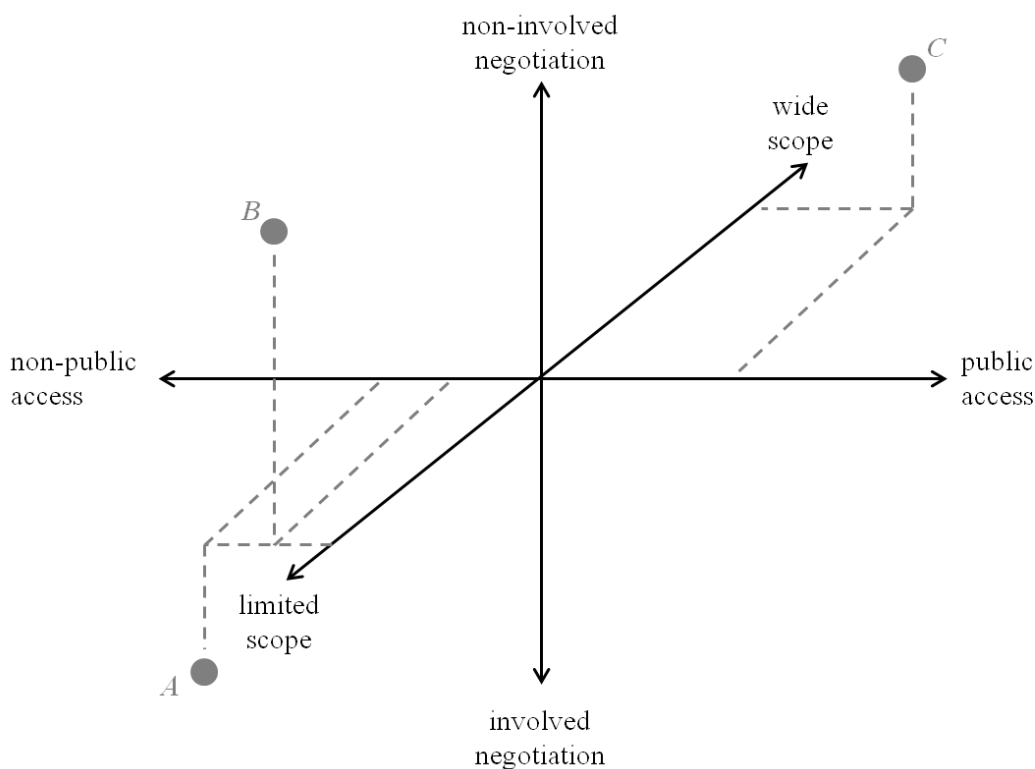


Figure 3.3: A three-dimensional model for analysing private and public aspects of conflicts (layout derived from Landert and Jucker, 2011: 1427)

The model in Figure 3.3 does not visualise all aspects of interaction in conflicts. Not explicitly included, for example, is the graphic/phonic distinction (see Section 1.5). Neither do the scales indicate the functions of different genres. Genre functions can be more or less personalised depending on the forms of interaction encouraged by genre conditions. Correspondence is more “involving” in Landert’s (2014: 29) terms, because letters prompt recipients to engage with encoders and respond to received messages. Court-records are comparatively less interactive because the control over composing and keeping the records resides with the legal institution. Additionally, the three scales need further disentangling. Accessibility should be divided into at least two sub-scales to capture access to offence-

settings and access to offence-reports separately. Likewise, conflict-scope and negotiation should be conceptualised as a bundle of sub-scales to differentiate between various components of individual-collective dimensions and involvement. However, such disentangling would complicate the diagram considerably. In qualitative analyses of this study, the scales are contextualised to offer more in-depth descriptions of what constitutes accessibility, conflict-scope or negotiation in a specific conflict-situation.

Furthermore, some explanation is required as to how the scales in Figure 3.3 interrelate with constituents of verbal offences (see Section 3.5). Individual and collective dimensions of face₁ and social rights are related to conflict-scope. The accessibility scale provides a basis for categorising degrees of face-exposure since exposure is defined by the number of people who witness a situation of potential face-damage (Culpeper, 2011a: 202-203). Furthermore, face-exposure is determined by relational proximity between interactants. However, the interrelation between face-exposure and degrees of closeness seems more complex than a simple correlation of more relational distance to higher face-exposure or the other way round. Receiving criticism on my research from an expert in my field, who does not know me personally, might be associated with a higher degree of face-exposure than having my supervisor, whom I know to be supportive of my research, pointing out problems with my PhD. Alternatively, presenting my research at an internal research seminar with my supervisor and fellow PhD students present might be more daunting than giving a paper at a conference. If I am criticised by (relative) strangers at the conference, I can walk away afterwards and forget about it, whereas continued interactions with my supervisor and colleagues may heighten my sense of face-exposure. Such complexities suggest that face-exposure is a subjective notion, depending on the participants and the particular context; hence, it is labelled as face₁-exposure.

Because more objective parameters of conflict-situations, e.g. access, are intertwined with subjective interpretations of these parameters, aspects of private and public are approached from second-order and first-order perspectives. On the scientific second-order level, private/non-private aspects of conflicts are examined by means of empirical evidence for the three scales of accessibility, conflict-scope and negotiation. Source texts are searched for details as to how many people had channel-linkage in conflict-situations, how many of them were affected by reported offences, etc. The amount of information which can be gauged from the texts depends on the evidence available in historical data. Assignment of scalar values may often be probabilistic rather than precise (see Chapters 4 and 7). Scien-

tific second-order observations are complemented by the examination of participants' understandings of the private-public distinction. First-order perceptions are retrieved through participants' comments on private and non-private aspects of conflicts. Particular attention is paid to how participants' notions of privacy and publicness influenced their first-order judgements of verbal offences. Notably, people's perceptions of what belongs to private or public spheres change over time (Landert and Jucker, 2011: 1433). Diachronic variation, combined with cultural variation (see Section 2.7), has significant consequences for historical analyses. Scalar concepts of private-public may exist in every social group across time and space. However, perceived boundaries between private and public as well as the actual content of these concepts may differ considerably across cultures and periods. An important task for a context-based study of early modern social interactions is to acquire period-specific understandings of the private-public distinction.

3.7. Qualitative or quantitative approach?

Rather than arguing for the superiority of certain research methods over others, leading historical pragmaticists stress that any approach comes with advantages and limitations (e.g. Jucker, 2000a, 2009, Jucker and Taavitsainen, 2013, Taavitsainen and Fitzmaurice, 2007). The choice between qualitative and quantitative methods – or between a philological and a corpus linguistic approach – is influenced by one's research questions and data availability. Albeit not synonymous, a philological approach is associated with qualitative methods, while quantitative research is part of corpus linguistics (see Jucker and Taavitsainen, 2013: 94). Jucker and Taavitsainen (2013: 33-36) emphasise the relevance of philology to historical pragmatics. Methods of “contextualised readings” and acquiring an in-depth knowledge about the textual histories of one's sources are essential to the interpretation of findings (Jucker and Taavitsainen, 2013: 34). The micro-analysis approach of philology has limitations. It is “time consuming” and can only be applied to a small amount of data (Jucker and Taavitsainen, 2013: 94). In comparison with statistically verified results of large-scale quantitative studies, qualitative findings are less objective (Jucker, 2009: 1616, Jucker and Taavitsainen, 2013: 42). Philological methods are regarded as valuable for charting a new area of research, to prepare the way for future corpus work (Jucker, 2009: 1623). The present object of analysis, i.e. first-order notions of offence in verbal conflicts, is less suitable for electronic searches and requires a philological approach. To my knowledge, it is the first linguistic investigation into the metalanguage of offence in early modern Scottish texts. Hence, the surface forms needed to design corpus searches are

still unknown. Qualitative analysis provides a valuable basis for corpus searches because it potentially enables retrieving the whole variety of linguistic realisations of the feature under question (Jucker, 2009: 1616, Jucker and Taavitsainen, 2013: 94, 103, see also Kohnen, 2007, 2011).

The qualitative approach of this study goes beyond producing keywords for future corpus searches and aims at providing insights that cannot be obtained through quantitative methods. In addition to finding any lexemes which participants in early modern Scottish letters and court-records used to express their notions of offence, a philological approach takes into account the various contextual factors which may have played a role in shaping participants' judgements of behaviour. Moreover, close readings can be employed to trace negotiations of different perspectives throughout verbal conflicts.

The restricted availability of computer-readable corpora has further shaped this project. Except for the *Breadalbane Collection* (see Chapters 4-5), fully searchable manuscript-based corpora are currently not available for the period of Late Middle Scots. The *Helsinki Corpus of Older Scots* (henceforth HCOS), albeit computer-readable, does not draw handwritten texts such as letters and court-records directly from manuscripts, but from later print editions (see Meurman-Solin, 1993). Such editions can affect the quality of linguistic research (see Section 7.4.2). Unfortunately, access to the manuscript-based *Corpus of Scottish Correspondence, 1500-1715* (CSC), was not granted for this study. As a consequence, the amount of computer-readable data for Late Middle Scots that meet current research standards in historical linguistics is relatively small. Hence, the present qualitative findings can currently not be further tested against larger samples. Instead, this investigation concentrates on more detailed analyses of extended stretches of discourse, which is a common research strategy if computer-readable material is not sufficiently available (see Jucker, 2000a: 19). Occasionally, raw figures and percentages are given to expand insights into the use of certain features and provide directions for future research. Statistical testing was not possible because figures were too small or the non-digitised data did not permit calculations of the overall word-count and normalised frequencies.

3.8. Social structures⁴⁶

Early modern society was essentially hierarchical, yet scholars have offered varying outlines of the gradation of social ranks (see Nevalainen and Raumolin-Brunberg, 2003: 136ff.). The present social stratification model (Table 3.1 below) is derived from classification systems of Nevalainen and Raumolin-Brunberg (2003: 36, 136) and Walker (2007: 25). Social status in the early modern period was defined by birth right or marriage, land-ownership or occupation, and “especially by wealth” (Coward, 1988: 3). A basic division is usually made between non-commoners and commoners, i.e. between higher-rank land-owners and those who had to do manual work for a living (Coward, 1988: 3). The emerging middle ranks are difficult to define in terms of commoners and non-commoners. 16th-century Scotland saw the rise of the middle ranks, conditioned by several factors. Through feuing of church and crown lands in the 1530s and 1540s, wealthy merchants and tenants could lease, and eventually buy, lands (Lynch, 1992: 182, Whyte, 1997: 29-30). The establishment of the Court of Session and the Reformation are regarded as influential in raising the status of lawyers and ministers (Lynch, 1992: 248, 254-255, Whyte, 1997: 49). Furthermore, the “distinctions between landed and non-landed social groups were much less clear-cut” because of double occupations (Coward, 1988: 4-5). Many people were both farmers and tradesmen or manufacturers. Sons of yeomen became merchant apprentices, and younger sons of gentlemen started a career as lawyers or clergymen because, unlike their eldest brothers, they did not inherit any titles or lands (Coward, 1988: 5). Women derived their social position from their fathers or husbands (Coward, 1988: 4).

Lower ranks are further distinguished into upper and lower commoners (Walker, 2007: 25-28). Upper commoners comprise landholders and craftsmen. Lower commoners were those who earned their money in service to others or those who did not even have an income.

The classification system in Table 3.1 serves a twofold purpose in this study. On a macro-level, it is used to establish social stratification in sub-corpora of letters and court-records (Chapters 4 and 7). On a micro-level, the model guides qualitative analyses of hierarchical relationships in conflict-interactions.

⁴⁶ This section is a slightly modified version of the social stratification model in my Masters thesis (Leitner, 2010).

Table 3.1: Rank classification system (adapted from Nevalainen and Raumolin-Brunberg, 2003: 36, 136, and Walker, 2007: 25)

Estate	Grade	Occupation
Non-commoners	Royalty, nobility, high clergy	
	Knights and baronets	
	Gentry	

	Professionals, wealthy traders and merchants	Lawyer, doctor, army officer, clergyman

Commoners		
Upper	Farmers with large holdings, lesser traders, certain craftsmen	Yeoman, shopkeeper, innkeeper, goldsmith
	Farmers with small holdings and (particularly) rural craftsmen	Husbandman, weaver, baker, butcher
Lower	Poor wage-earners, or those bound to a master	Labourer, servant, apprentice
	Unemployed, criminals	Vagrant, thief, prostitute

3.9. Summary

This chapter has described the theoretical and methodological framework of this study. Culpeper's (2011a) impoliteness concept has been combined with Jucker and Taavitsainen's (2000) pragmatic space to distinguish impoliteness theoretically from other verbal offences in a wider space of antagonistic behaviour. Since Culpeper's (2011a) modern impoliteness framework does not provide a methodology for retrieving verbal offences in historical data, several metacommunicative, pragmalinguistic and contextual indicators have been defined to fill the gap. A categorisation method based on the HTOED has been developed to create conceptual mappings of verbal offence terms found in court-records.

Furthermore, impoliteness constituents have been adapted for the investigation of verbal offences in historical data. Spencer-Oatey's (e.g. 2005) categories of face₁ and social rights/obligations have been extended to account for the entire range of individual-based and group-based manifestations of these concepts. Her distinction between equity and association rights has been replaced by a set of dimensions which should be more adequate for the analysis of historical data. Additionally, methodological issues of reconstructing

Culpeper's (2011a) constituents of intentionality and emotions in historical data were discussed.

Taking Landert and Jucker's (2011) multidimensional model of private and public in mass media communication as a starting-point, three scales have been defined to capture private and public aspects in conflict-situations. Landert and Jucker's (2011: 1426-1427) scales of accessibility and news content have been adapted to distinguish between the number of people having access to conflict-situations and the number of people affected by conflicts, i.e. conflict-scope. The scale of accessibility has been complemented by Bell's (1984, 2001) audience/referee-design and Levinson's (1988) participant-roles to permit analysis of more nuanced aspects of access. A new dimension of conflict-negotiation has been designed to describe degrees of involvement in conflict matters of participants engaged in reporting or mediating conflicts.

The philological approach taken in this study has been justified by the exploratory topic and the limited availability of computer-readable data. Methods employed in subsequent case studies are qualitative, albeit occasionally verging on the quantitative side to inspire future research questions.

Finally, a model has been introduced for analysing social stratification in early modern data, based on existing frameworks in historical sociolinguistics and historical pragmatics. Subsequent chapters will discuss social structures in more detail in contexts as diverse as Highland clans, the royal court, local communities and law-courts. In addition to the social background, Chapters 4 and 7 provide information on genre specifics of letters and court-records and how these aspects shape analyses of conflicts and their private-public dimensions.

4

Conflict-narratives in early modern Scottish letter-writing

4.1. Introduction

Early modern correspondents sometimes mentioned incidents that they considered offensive. Such reports are, of course, subjective in nature. Nevertheless, they provide valuable evidence for reconstructing contemporary understandings of verbal offences and social interaction in conflict-situations.

This chapter introduces the research context and methods for the subsequent investigations of early Scottish correspondence. After giving an overview of previous relevant research on (im)politeness and private-public aspects in early English and Scottish correspondence, I will embed letter-writing in its socio-historical context. Subsequently, the correspondence corpus of this study is introduced, consisting of letters drawn from the *Breadalbane Collection, 1548-1583* (Dawson, 2004/2007, henceforth BreadC), and correspondence by James VI (henceforth James). Section 4.5 discusses methodological issues specific to analysing verbal offences in 16th-century Scottish letters.

4.2. Previous research

Politeness has been the focus of many historical sociopragmatic studies. In particular, terms of address have been analysed extensively in early English letters, drawing on the vast resources of the *Corpus of Early English Correspondence* (CEEC). Analyses of address in English personal letters from the early 15th to the early 18th century show a general shift from more deferential to more intimate address-forms; however, 18th-century address-terms are still more formal in comparison with present-day practices (Nevala, 2003: 160-161, 2004b, Nevalainen and Raumolin-Brunberg, 1995, Raumolin-Brunberg, 1996: 180, Tieken-Boon van Ostade, 1999).

Fitzmaurice's (2002a, b, c, 2006, 2008) work on 17th and 18th-century English correspondence, which covers various aspects of politeness, has been inspirational to several aspects of this study. Her study of modality in 18th-century patronage letters deploys social network analysis for pragmatic research (Fitzmaurice, 2002b). Moreover, her investigation of

face-threat mitigating devices of giving advice relates to the concept of politeness framings developed in Section 4.5 (Fitzmaurice, 2002a: 100-108).

Compared to the research on letter-writing ranging from Late Middle English to LModE, far less ground has been covered on politeness in Scottish correspondence. Investigations have concentrated on address-formulae in 18th-century letters of politics and on address-terms and politeness strategies in 19th-century letters (Dossena, 2006a, b, 2007, 2008, Smith, 2013). Dossena (2006a, b, 2007, 2008) studies different types of letter-writing, i.e. business and personal, as well as a range of linguistic aspects. Her approach illustrates the value of analysing (im)politeness in different types of correspondence and in the entire context, going beyond the study of address-forms in specific parts of a text. It shows that different forms or modes of politeness can be mixed within the same period and even within the same genre, and that certain modes of politeness can be more characteristic in some contexts than in others.

In contrast to politeness, impoliteness is rarely a topic of analysis when investigating early correspondence. Occasionally, researchers discuss examples of face-threat or perceived insults in letters (e.g. Dossena, 2006a: 186-188, Fitzmaurice, 2002a: 80-83). Exceptions are studies that focus on hybrid forms of impoliteness, i.e. mock impoliteness, and sarcasm or irony as mock politeness. Williams's (2010, 2013) studies on the early 17th-century letters of Maria Thynne, for instance, show that correspondence is a valuable source for investigating the development of sarcasm in English. Sairio and Williams (2012) analyse mock impoliteness in English correspondence between 1400 and 1800 as a device for reinforcing in-group identity.

In early correspondence, private and non-private contents often blended into each other (Daybell, 2012: 21). For example, family-letters served to exchange personal matters as well as news about business or politics (Nevalainen and Raumolin-Brunberg, 1995: 547-548). Moreover, privacy in early private correspondence was restricted by socio-historical conditions such as the lack of security for postal delivery, the need of illiterate correspondents to rely on scribes and the social practice of sharing letters within the same household or network (Daybell, 2012: 18, 23, 127). Nevalainen and Raumolin-Brunberg (1995: 591) argue that due to the "growth of literacy" and improved mail services privacy in letter-writing increased from the end of the 17th century onward. They link this development to the increasing use of intimate address-terms. However, according to Bannet (2005: 251-

258), privacy in letter-writing continued to be restricted in the 18th century. Evidence of early 18th-century letters suggests that private and public were perceived as distinct notions, which had an impact on the disclosure of intimacy (Fitzmaurice, 2002a: 208).

Furthermore, private-public dimensions appear to have had an effect on the selection of address-terms in different parts of letters. Nevala (2004c) compares address-formulae used in superscriptions, i.e. in the address on the outside of letters, with address-formulae used inside. The location of address-formulae pertains to public and non-public aspects of correspondence. While 17th-century superscriptions still include kinship and friendship terms, information about social ties between the encoders⁴⁷ and recipients were no longer shown in 18th-century superscriptions (Nevala, 2004c: 288, 291). At the same time, the use of intimate address-forms, which in the 17th century were still restricted to nuclear family⁴⁸ correspondence, was extended to other kin-relations in 18th-century letters (Nevala, 2004c: 283-285). As a result, there is an increasing divergence in address-terms found inside and on the outside of letters from the 17th to the 18th century, especially in letters between close correspondents (Nevala, 2004c: 288). The findings suggest that the disclosure of close relationships on the outside of letters – where it was readily accessible to anyone in the delivery process – was no longer considered appropriate after 1700.

The letter material of this study has been largely or totally neglected by linguists. To my knowledge, there are no linguistic investigations of the *Breadalbane* letters. In contrast, the BreadC has been studied in-depth by the Scottish historian Jane Dawson (1997, 1998, 1999, 2004/2007), whose investigations are continuously cited by other historians (e.g. Cathcart, 2006). Compared to the bulk of historical research on James (see ODNB and references there cited), the Scottish king has not attracted similarly intense scholarly attention from linguists. The review in the rest of this section focuses on studies that take into account a broad range of features of James's language or examine sociopragmatic aspects in his letters. Evans's (2013: 154-155) investigation of Elizabeth's idiolect, for instance, includes a comparison of Elizabeth's first-person pronoun usage to that of James. Worth mentioning is Smith's (2012b) investigation of James's writings as linguistic evidence for Older Scots, including the diplomatic editing of some of James's letters and extracts from his treatises. The selected texts are analysed with respect to characteristic Scots features in

⁴⁷ The term *encoder* refers to “the person (or group of people) whose meanings are expressed in the text, regardless of whether they wrote it themselves” (Dossena, 2012: 18).

⁴⁸ The term “nuclear family” refers to the closest ties between husband and wife and parents/children (Nevala, 2004b: 28).

spelling and lexis as well as punctuation practices. Particularly interesting is Smith's (2012b: 114) pragmatic analysis of James's draft letter to Elizabeth I (henceforth Elizabeth) concerning the execution of his mother. James saw the execution as an insult to his honour. However, by denying Elizabeth's assertions of innocence he would have risked offending the English queen. His deletions of "potentially face-threatening" expressions and his "corrections demonstrate his concern for diplomatic nuance" (Smith, 2012b: 114).

Mueller's (2000) and Allinson's (2007) studies on the correspondence of James and Elizabeth, although situated in an interdisciplinary framework of history and literary studies, offer findings for kinship and friendship terminology in the correspondence of Elizabeth and James. Their analyses reveal that James's and Elizabeth's use of kinship and friendship terms reflects the conventions of their time and social status, but also shows variation, presumably determined by temporary and long-term shifts in their relationship. Allinson (2007: 9), for instance, notes that James's use of *mother/son* in the opening/closing formulae of his letters declines after the Treaty of Berwick in 1586, which coincides with Elizabeth's refusal to acknowledge him officially as her heir.

4.3. Letter-writing in its socio-historical context

Letters are written, transmitted and received in specific socio-historical contexts. A study of early modern correspondence therefore has to be embedded in a wider understanding of period-specific practices of letter-writing, social structures and historical events and developments (see Fitzmaurice, 2002a: 9). In what follows, I will provide an introduction to letter-writing as a mode of communication in the early modern period. Moreover, I will discuss Highland clan structures and conditions of literacy in 16th-century Scotland, forming the backdrop of the selected letters in this study.

4.3.1. Early modern letter-writing practices

Communicative functions of early modern letter-writing were determined by the needs and conditions of the period. For England, Fitzmaurice (2002a: 4, 6) notes that the familiar letter was "the kind of document most commonly written" in the early modern period. It performed various functions from more private purposes, such as personal messages from one person to another, to published letters with a wide circulation. In 16th-century Scotland, face-to-face interaction was regarded as "the best form of communication" and was

still preferred over writing (Dawson, 1997: 4). The second best option was an oral message delivered through a trusted messenger, i.e. a kinsman or a trusted servant of higher social status. Letters were only sent by common couriers if messages could not be communicated through the first two channels (Dawson, 1997: 4-5). The transmission of early modern written communication was unreliable and insecure. Letters were lost or intercepted (Daybell, 2012: 127). Couriers could get killed in times of war or feuds (Dawson, 1997: 6). Moreover, paper – the necessary material for letter-writing – was scarce in the Highlands (Dawson, 1997: 8). Shaped by these historical factors, the functions of early modern Scottish correspondence differed from letter-writing in later periods. Letter contents in the BreadC mainly consist of political and business affairs, on local, regional, or national levels. Private matters were usually kept to a minimum because relationships were still primarily maintained through “[p]ersonal contact” and oral communication, and the most secret information “was not entrusted to paper” (Dawson, 1997: 4-5). Likewise, the selected letters of James mainly served to maintain diplomatic relations and manage his court and kingdom.

A key notion of letter-writing practices is the concept of epistolary style as proposed in early modern letter-writing manuals. In the late 16th-century style-guides for correspondence became available in English (Daybell, 2012: 20). The first epistolary manuals, e.g. Fulwood’s (1568) *The Enimie of Idlenesse* or Day’s (1586) *The English Secreterie*, were modelled on Erasmus’s (1521) Latin manual, *Libellus de Conscribendis Epistolis* (Nevala, 2004b: 34). Erasmus redefined epistolary style by discarding the medieval epistolary practice of *ars dictaminis* and introducing the notion of letter-writing as an oral conversation between friends separated by spatial distance (Fitzmaurice, 2002a: 17-18). Humanist ideas of letter-writing introduced more flexibility in comparison with the stiffness of medieval traditions (Daybell, 2012: 63-66). Nonetheless, the postulated speech-likeness of letters has to be taken with a pinch of salt. Day’s (1586: 3, 6) letter-writing manual instructs readers to select the best words and present “euery thing in his due order”. Such aspects of careful utterance planning are characteristic of the language of distance associated with written communication and formal speech (Koch and Oesterreicher, 1985: 19-24).⁴⁹ In spontaneous face-to-face interactions, participants usually do not have much time to reflect on and modify their language use. Notably, Day (1586: 17) modified Erasmus’s notion of the speech-likeness of letters as “a formall kinde of mutual talke”, presumably also referring to the social practice of reading letters out loud, thus turning them into actual speech.

⁴⁹ For definitions of Koch and Oesterreicher’s (1985) concepts, see Section 1.5.

Early letter-writing manuals provided guidance on two important aspects of epistolary style, composition and politeness (Nevala, 2004b: 37). Key parts of early modern model letters are the salutation, i.e. the opening, the “middle part”, the closing consisting of farewell and subscription, and the superscription, i.e. the address on the outside of letters (Nevala, 2004b: 39). Notions of politeness were associated with selecting address-forms, and style in general, in accordance with recipients’ social positions in relation to one’s own, and with the specific context of writing (Nevala, 2004b: 39-42). Fulwood (1568: 9), for instance, includes lists of examples of how to address superiors, inferiors and social equals. Day (1586: 18-21, original emphasis) advises his readers to adapt the “stile” to the addressee and to the purpose of the letter, e.g. “*Sublime*” for letters to royal or honourable persons, “*Mediocre*” for other more official letters, and “*Humile*”, or plain style, for familiar correspondence.

The effects that letter-writing manuals and authentic letter-writing had on each other are complex and to a great extent unknown. Nevala (2004b: 260) argues that 16th-century manuals were “more descriptive than prescriptive” since “model letters were copied or modified from real ones”. Manual authors drew on contemporary epistolary practices (Nevala, 2004b: 36). The use of letter-writing manuals raises the question of their availability. From the 16th-century English manuals listed in Nevala (2004b: 34), none appear to have been printed in Scotland (see Aldis, 1970 and BL ESTC). Some letter-writing manuals might still have been circulated in Scotland at that time. Even if letter-writing manuals were accessible, it remains uncertain if correspondents actually consulted them (Daybell, 2012: 53). For EModE letters, Daybell (2012: 69-71) notes that the influence of epistolary manuals on letter-writing practices appears to be stronger for conventions of letter openings/closings and for highly formal letters than for common business correspondence and personal letters. Vernacular epistolary manuals were targeted at readers without access to formal tuition. Latin-based letter-writing was part of grammar school and university education for boys and young men from upper-rank families, while girls in those families learnt to write letters from their governesses and tutors. Moreover, parents’ letters to children show their active role in teaching their offspring letter-writing conventions (Daybell, 2012: 53-54, 62-63).

Despite the lack of evidence that letter-writing manuals were consulted by the correspondents in question, these sources at least present contemporary views of epistolary style. The models can be compared to actual letter-writing practices in a dataset (Daybell, 2012:

22). When making comparisons, it has to be kept in mind that letter-writing manuals tend to reflect the politeness ideology of a dominant social group or individuals “in a considerably static way” (Eelen, 2001: 179, 228, Kádár and Culpeper, 2010: 18).

4.3.2. *Highland clan structures*

While the basic distinctions described in Section 3.8 also apply to social stratification in early modern Scotland, some information on Highland clan structures need to be added to provide the background for the letters drawn from the BreadC (Section 4.4). At the head of a clan was the chief. He held supreme command over all clan troops in war and judicial power over the people in his territory (Keay and Keay, 2000: 168). Next to the chief in rank were the members of the *fine*, i.e. the heads of cadet-branches and the heads of minor clans who were under the chief’s lordship (Cathcart, 2006: 75, 77). These principal clan-members, also referred to as the “clan gentry”, played an important role in clan management (Cathcart, 2006: 78). They acted as counsellors to the chief and assisted him in “securing cohesion” within the clan and “the creation of external political and military alliances with neighbouring clan chiefs and client clans” (Cathcart, 2006: 78, 2008: 128). In addition, they acted as witnesses for the contracting of charters, bonds and marriages (Cathcart, 2006: 78). The involvement in clan politics gave the *fine* shared power and tied them closer to their chief (Cathcart, 2006: 80). Chiefs and cadet-heads were feudal lords and could lease their lands to tacksmen or tenants. Tacksmen held leases of land from a laird, which they could sublet to lower clan-members. Apart from paying a “modest rent” for their lease, tacksmen were bound to assist their superiors with military forces whenever required (Keay and Keay, 2000: 968). These vassals could be younger sons of the family or chiefs and cadet-heads from minor clans (Keay and Keay, 2000: 168).

There were significant differences in political power and territory among the clans in early modern Scotland. Land was the key source of wealth and military power (Cathcart, 2006: 140). Thus, the expansion of territory was crucial to increase a clan’s regional influence (Campbell, 2000: 172). Through marriage alliances and military expansion, Clan Campbell – the central clan in the BreadC – managed to become one of the major clans in the course of the 15th and 16th centuries (Keay and Keay, 2000: 166-169). Such growth often involved the loss of power for other clans. Through the Campbell expansion, the MacGregors became “landless” and “remained as vassals” on what was once their own territory (Keay and Keay, 2000: 509). As a result, Gregor Roy MacGregor, as chief of a minor clan, was far

less powerful than Colin Campbell, the 6th laird of Glenorchy, as cadet-head in a major clan (see Keay and Keay, 2000: 169).

In the light of such power differences, the relevant criteria to establish social ranks and hierarchies in early modern Scotland need to be reviewed. Chiefs received their authority by “official recognition” from the sovereign (Keay and Keay, 2000: 169). However, the status of chief “confers no rank as such [...] although many chiefs also hold peerages or other titles” (Keay and Keay, 2000: 169). Thus, the classification of chiefs and cadet-heads as members of the upper ranks cannot always be made on the basis of the titles they held. Donald Dubh Cameron of Lochiel, for example, although being chief of an autonomous clan with lands in Lochaber, held no noble title (see Keay and Keay, 2000: 130-131). For the present study, the key criterion for upper ranks is the possession of feudal rights over certain territories. Land in 16th-century Scotland was “the essential foundation of all noble power” (Dawson, 1997: 12). Thus, a landless chief like Gregor Roy MacGregor is not classified as a nobleman, in spite of his noble descendance, because he had lost all his noble power (see Dawson, 1997: 270, Keay and Keay, 2000: 509). At the same time, it is difficult to think of MacGregor as a commoner since he was still officially recognised as chief and thus held superior command over his clan. For the purpose of this study, MacGregor is classified as a vassal (see Table 4.1 below). Vassals are taken to constitute a heterogeneous group of people who held lands from a superior. While all vassals were powerless in terms of landownership, some of them may have had upper-rank lineage or superior relational power.

4.3.3. Literacy

There are a range of views of what constitutes literacy (see Nevala, 2004b: 26). For early modern England, Nevala (2004b: 26) concludes that it “was still a semi-literate society”, i.e. many people could read but not write, or they were able to read printed script but not handwriting. In the BreadC, there is a difference between Highland and Lowland literacy. While almost all the Campbells were probably able to write, other Highland correspondents were unable to pen their own letters, e.g. the MacGregors. In the Lowlands, by comparison, even minor lairds were usually fully literate (Dawson, 1997: 7-8).

Conditions of literacy have implications for linguistic studies of early correspondence in terms of whose language is used in a letter. Surviving letters of illiterate correspondents

were composed with the help of amanuenses. The extent to which such letters reflect the encoder's language use varies from dictating word by word to giving "general instructions", where the phrasing was left to the scribe (Nevalainen and Raumolin-Brunberg, 1995: 553). In the letters drawn from the BreadC, there is only one letter from a chief who could not write, viz. Ranald Og MacDonald of Keppoch (see Dawson, 1997: 8 and Appendix 1). The remaining letters were supposedly written by fully literate correspondents. An exhaustive analysis of hands in the BreadC was beyond the scope of the present investigation. There is some evidence that the magnates in the BreadC, i.e. the 5th earl of Argyll and the 4th earl of Atholl, did not manage all of their correspondence themselves but had scribes to assist them in their workload. William Stewart, the 9th laird of Grandtully, described by Dawson (1997: 36) as Atholl's "secretary", wrote letters on the earl's behalf. Concerning Argyll, the different hands in his letters suggest that he used amanuenses but also penned some of his letters himself.⁵⁰ As regards James, not all letters signed by the king were written by him, often not even dictated (Akrigg, 1984: 24). To investigate James's notions of offence, I selected letters that represent his language use (see Section 4.4).

4.4. The letter material of the present study

This section introduces the primary material used in the correspondence case studies (Chapters 5-6). In what follows, the two samples are described in terms of their size, time-span, social stratification and gender. Moreover, I will comment on the linguistic faithfulness of consulted letter editions.

4.4.1. The Breadalbane sub-corpus

The BreadC (Dawson, 2004/2007)⁵¹ is a manuscript-based online edition of 16th-century Scottish correspondence that offers rare insight into early social interactions among Highlanders and Lowlanders (Dawson, 1997: 1-2). It was edited by Jane Dawson at the University of Edinburgh and consists of 324 letters. The letters centre on the Campbells of Glenorchy, who were part of the Campbell Clan. Their base was the Breadalbane area in

⁵⁰ My observations regarding Argyll's correspondence are preliminary and subject to future palaeographic study.

⁵¹ If not stated otherwise, the information in this section is taken from the BreadC website (2004/2007). Therefore, no page numbers can be provided.

the West and central Highlands. Important correspondents are Colin Campbell, the 6th laird of Glenorchy – or Grey Colin, according to his nickname – his wife Katherine Ruthven, and Archibald Campbell, the 5th earl of Argyll. As one of the fine-members of Clan Campbell, Grey Colin was head of the house of Glenorchy, a “distinct lineage” descended from the house of Argyll, while the earls of Argyll were chiefs and “had overall responsibility” for Clan Campbell (Dawson, 1997: 9). The dates of the BreadC roughly mark the period of Grey Colin’s lairdship, from 1548, when he had taken over much of the responsibility of his ailing elder brother John, to Grey Colin’s death in 1583 (Dawson, 1997: 3, 15).

The language of the BreadC is Late Middle Scots.⁵² Around two-thirds of the correspondents were based in Gaelic-speaking areas. However, the letters were all written in Scots (Dawson, 1997: 7).⁵³

The BreadC has some limitations affecting the conclusions that can be drawn from the letters. Regarding the representation of social ranks, letter-writers mostly belong to the higher echelons; there are a few professionals, clergymen, and minor chiefs without peerage, but no lower-rank correspondents (Table 4.1 below). This problem is shared by other corpora of early correspondence, e.g. CEEC (Nevalainen and Raumolin-Brunberg, 1995: 551). Moreover, male correspondents predominate, although the selection criteria focused on women (Dawson, 1997: 3). Thus, the language represented in the BreadC is mostly that of Scottish upper-rank men. In the early modern period, the nobility “comprised a little over 1 per cent of Scotland’s population” (Whyte, 1997: 4); therefore, the findings presented in Chapters 5-6 relate to a minority of people living in 16th-century Scotland.

Dawson’s (2004/2007) semi-diplomatic editing principles make the BreadC a valuable source for historical pragmatic research. Most features of the letter manuscripts have been faithfully transcribed. However, the minor editorial changes may restrict the usefulness of the BreadC for certain research questions. For example, the BreadC does not permit systematic analysis of punctuation practices, because “minimal punctuation” has been added to assist modern readers (Dawson, 2004/2007).⁵⁴

⁵² The term *Late Middle Scots* is defined in Section 1.3.

⁵³ It is difficult to establish to what extent Gaelic was used in letter-writing since there is only one surviving Gaelic letter from the 16th-century Scottish Highlands (see Bannerman and Black, 1978).

⁵⁴ For a complete account of the BreadC editing conventions, see Dawson (2004/2007).

Table 4.1. Social stratification and gender in the BreadC.⁵⁵

Social rank	Male	Female	Total
Royalty		1	1
Nobility	18	3	21
Knights	5		5
Lairds ⁵⁶ (major/minor)	32	2	34
Higher clergy	2		2
Lower clergy	3		3
Professional	3		3
Vassal	6		6
Unknown	5		5
Total	74	6	80

Based on the specified indicators and exclusions (Chapter 3), a sub-corpus of conflict letters has been drawn from the BreadC. Indicators of verbal offence metadiscourse have been found in 43 out of the 324 letters. Seven additional letters have been considered because they provide the background for some of the reported offences (see Appendix 1 for a list of letters).

4.4.2. *The James VI sub-corpus*

To investigate James's notions of offensive language use, only letters identified by Akrigg (1984) and Bruce (1849) as holographs, i.e. letters written in James's own hand, or copies based on holographs have been considered (see Appendix 1 for a list of letters). Scribal letters, in which only the signature is in James's hand, presumably represent the language of amanuenses (see Akrigg, 1984: 24-26). There is some historical evidence that not all of James's holograph letters were composed by him; however, such cases are assumed to be rare (Akrigg, 1984: 26-27).

Print editions of James's correspondence are only consulted as a starting-point for the current investigation because the transcripts are not close enough to the originals. Concerning the Camden Society edition of *Letters of Queen Elizabeth and King James VI of Scotland*, Smith (2012b: 114) notes that "Bruce's transcriptions are generally accurate, though he

⁵⁵ The figures are derived from the biographical index of correspondents on the BreadC website (2004/2007). The third earl of Sussex (England) and the Lords of the Privy Council, as a group of correspondents, have been excluded from this table. For a definition of vassals, see Section 4.3.2.

⁵⁶ Lairds are varyingly defined as members of the lower/middle nobility or as an upper rank below the nobility (Dawson, 1999: 221, Whyte, 1997: 7). They constituted a heterogeneous group. Major lairds could lack peerage, but be of equal standing with many nobles in terms of wealth, allies and regional power. The social position of minor lairds was close to that of yeomen (Whyte, 1997: 7-8).

does omit deletions and miscopy a few minor features, and he also introduces modern punctuation”. Smith’s (2012b: 114-116) analysis of one of James’s letters to Elizabeth demonstrates what information on the pragmatic construction of a message we can miss if transcripts do not indicate deletions (Section 4.2). Moreover, of the four letters drawn from Bruce’s (1849: 31) edition, only one transcript is based on the original holograph, i.e. the letter dated from April 1586. The other three transcripts are based on 18th-century copies, and are thus quite far removed from the originals (see Bruce, 1849: viii-ix, 68, 99, 105). In addition to the infelicities mentioned by Smith (2012b), my comparisons of the transcripts with the surviving manuscripts have shown some erroneous transcriptions which affect pragmatic analyses, for example, the rendering of *appardown* as *applaud*, and the misdating of one letter (see Bruce, 1849: 68-69, MS CP 133/176, and Appendix 1).

In his edition of the *Letters of King James VI & I*, Akrigg (1984) has retained some features of James’s Scots lexis and grammar, but has otherwise modernised spelling and punctuation (Smith, 2012b: 113-114). Because of these profound editorial changes, Smith (2012b: 113) evaluates Akrigg’s (1984) edition as “largely useless for philological work”, although he acknowledges its value for historians.

Because of the abovementioned reasons, the letters selected for this study had to be re-transcribed to obtain faithful reproductions of James’s epistolary language. In view of the need for new transcripts and the fact that many of James’s manuscripts are held in different places outside Scotland (see Akrigg, 1984: 20-22), I have limited the James VI sub-corpus to seven letters until further financial resources become available.

The seven letters have been chosen on the grounds of their content and recipients. James’s letters to Elizabeth represent his correspondence to someone of equal social status, yet superior to him in age and experience (see Allinson, 2007: 16). The two letters from 1594 are particularly interesting because James tried to change Elizabeth’s perception of an implied threat from his side (see Bruce, 1849: 99-108). In the other two letters from James to Elizabeth, i.e. from 1586 and 1597, the cause of offence is basically the same – a delay in letter-writing – but the constellation of alleged offender and offended party is reversed (see Bruce, 1849: 31-32, 68-69). The two letters to John Maitland, the first Lord of Thirlestane⁵⁷, are examples of the king’s interaction with his highest and most trusted advisor, first as his Secretary of State and then as chancellor (see Lee, 1959: 4, 51, 117-119). They

⁵⁷ Maitland was made first Lord of Thirlestane in 1590 (Lee, 1959: 215), which means that he did not yet hold this title in the earlier letter addressed to him in the James VI sub-corpus.

are to some extent comparable to Argyll's letters to fine-members like Grey Colin in the BreadC. In both letters to Maitland, James criticised his noble inferior and negotiated the potentially offensive uptake of his letters. James's letter to Robert Carr, earl of Somerset, is an example of the closest relationship, i.e. James's *privacy* with one of his male favourites, and of the potentially most non-public conflict-setting in the royal household, i.e. the king's bedchamber.

4.5. Reconstructing conflict-situations and private-public dimensions in letters

This section covers methodological issues that are specific to the analyses of conflicts in Late Middle Scottish correspondence. Firstly, limitations of the primary data are discussed which affect the reconstruction of conflict-interactions. The second issue concerns the contents of face₁ and social rights/obligations in 16th-century Highland clans and Lowland kin-groups. Thirdly, the private-public framework introduced in Chapter 3 is further elaborated by a social-network approach. Subsequently, I will define the concept of politeness framings as a pragmatic device of conflictive discourse in correspondence.

Early modern letters may not always provide enough cues to relate a reported offence to theoretical concepts of impoliteness. In very brief offence-reports⁵⁸ it has been found difficult to establish which constituents were at stake (see example (3) in Chapter 5). The reconstruction of conflict-situations can be hampered by lost letters. References in the BreadC to other letters indicate that there were more letters than those that have survived (Dawson, 1997: 4). Furthermore, letter-writing was not the only channel to communicate perceptions of offence. Offence-reports could have been given in personal meetings or elaborated in more detail through oral messages delivered by trusted messengers (Dawson, 1997: 5). As a result, we often do not have access to the complete sequence of interactions between participants. Additionally, offences could have been simply ignored. By consequence, there is an uncertain extent to which letters contain communicative behaviour which may have been evaluated as offensive in lost letters or only in thought or speech.

To reconstruct face₁ and social rights/obligations in the *Breadalbane* letters, it is essential to examine identities and social relationships in terms of social hierarchy, individual-collective dimensions and the relational or contractual nature of relationships. Clans were collectives with distinct hierarchical structures (Section 4.3.2). The position of individuals

⁵⁸ The term *offence-report* is introduced in Chapter 3.

within those hierarchies determined their social rights and obligations towards others in the group. Because of their leading position in the hierarchy, chiefs held the highest collective responsibility (Macinnes, 1972: 343). Their key duties included the provision for and protection of their clans, regional jurisdiction and the maintenance of clan unity (Cathcart, 2006: 61). A chief who fulfilled his obligations could expect loyalty from his clan-members and “participation in the political and economic affairs of the clan as a whole” (Cathcart, 2006: 63). If a chief failed to provide good lordship, his inferiors were no longer bound to be loyal towards him (Dawson, 1999: 211). Moreover, chiefs were held accountable by the Scottish crown for the behaviour of their clan-members and anyone else living on their territories (Cathcart, 2006: 60). Likewise, cadet-heads held collective responsibility on a smaller scale, over their house and tenants. Performing one’s social-role duties towards one’s inferiors was a matter of honour (Dawson, 1997: 12-13). I shall argue that honour was a key face₁-sensitivity for 16th-century Scottish upper-rank men (Chapter 5). Honour was intertwined with other social values such as kinship, loyalty and lordship (Dawson, 1997: 8). Kinship by blood was the strongest tie, which made socially-defined obligations of loyalty among kin-members most compelling (Dawson, 1997: 9, 12). Kin-relations had varying degrees of relational proximity, moving “in concentric circles” with increasing distance from the nuclear family to surname, clan, and extended kin (Dawson, 1997: 8). The value of kinship for internal clan-relations has been reassessed. Although still “the basic unifying force”, kinship did not suffice to “secure cohesion” (Cathcart, 2006: 59, 214). Next to kin-relations, mutual support was sustained by contractual relations that created “artificial kinship” (Dawson, 1997: 12). Bonds of “socio-economic manrent” strengthened ties between vassals and their feudal lords (Cathcart, 2006: 86). The written agreements defined obligations in both directions to compensate the uncertainty of loyalty and good lordship in tenurial relationships (Cathcart, 2006: 86). Bonds of “political manrent” were “not dependent on territorial lordship” (Cathcart, 2006: 28). They served to secure mutual support between clans or kin-groups “of equal standing” (Cathcart, 2006: 28). Bonds of manrent were more binding than marriage alliances, but they were not permanent and had to be renewed (Dawson, 1997: 12). The social values of honour, kinship, loyalty and lordship seem to have been similar in the Highlands and Lowlands (Dawson, 1997: 9).

Expressions of identity in 16th-century Scotland emphasised the supremacy of the collective over the individual: “Sixteenth-century Scotland held tenaciously to its collective outlook on life, displaying very little evidence of the possessive individualism characteristic of later periods. Within this mental world, the kin or House came first and the individual a

poor second” (Dawson, 1999: 212). Individual freedom was restricted by economic conditions. Inferiors depended economically on their superiors, who were in possession of the land, the “one source of wealth” (MacInnes, 1972: 366). However, clan-chiefs and heads of Lowland surnames did not have “ultimate authority” over their groups (Cathcart, 2006: 65, Dawson, 1999: 212). Their power depended on the unity of their clans, especially on the cooperation with their principal members, who “alone were able to mobilize the whole kin and its resources, whether for military, political, judicial or economic purposes” (Dawson, 1999: 212). Clan-members had the right to criticise and even “to depose a chief and choose one they felt was more suitable for the role” (Cathcart, 2006: 65). Beyond relations of interdependence within clans and kin-groups, it was necessary for Scottish nobles to have strong social ties with heads of neighbouring groups to ensure the survival of their clan or surname (Cathcart, 2006: 98). Despite all the emphasis on collectivity, unity within clans was contested. Clan-members would not support their chief unquestioningly and collectively, and would even distance themselves from him by seeking protection from other chiefs (see Cathcart, 2006: 216, Dawson, 1998: 295-296). Disunity within clans was also driven by individual aspirations for power and led to conspiracies and murder. Within such conflicts, individuals could express opinions independent of the rest of the clan and judge other clan-members on their evil deeds (MacInnes, 1972: 361-362).

To elaborate the concepts of association/dissociation and the private-public dimensions defined in Chapter 3, a network-strength scale is designed to distinguish among different degrees of core and peripheral relations between participants. With respect to Bucholtz’s (1999) associative and dissociative identity claims (see Section 3.5.1), the network-strength scale below is proposed as an analytic set of specific components to describe relations within and between groups. In comparison with Landert and Jucker (2011), I am interested not only in how many people had access to certain information or how many people were involved in an event, but also who these people were and how they were related to each other. Bax’s (2000) modification of Milroy’s (1980) network-strength scale for 18th-century correspondence is taken as a starting-point to develop a network-strength scale for 16th-century Scottish correspondents.⁵⁹

Following Milroy (1980: 140), Bax (2000: 280) distinguishes between functional components of social relationships, which pertain to what people are to each other, e.g. family, and emotional components of what people feel for each other, e.g. close friendship. The

⁵⁹ For a brief discussion of the advantages of social network analysis for this study, see Section 3.5.1.

seven-point scale below is derived from his version and adapted to describe the functional components of social ties in 16th-century Scottish letter-writing networks:

- a) Being related by blood or through marriage
- b) “living in the same household” (Bax, 2000: 282)
- c) Having a contractual relationship, e.g. land lease, bond of manrent
- d) Interacting as members of the same kin, clan or surname
- e) Exchange of advice
- f) Living in neighbouring areas
- g) Supporting the same religion

I have redefined Bax’s (2000: 282) “professional relationship” as contractual relationship, in line with terms used elsewhere in this study. Moreover, my scale does not have the component “spending voluntary leisure time together” (Bax, 2000: 282). The marginal role of personal matters in the *Breadalbane* and James VI sub-corpora make it difficult to establish what activities were considered as leisure and what role they played in defining social ties. In addition, I have included the exchange of advice because “[t]he act of giving and receiving counsel” was crucial in strengthening social ties among royalty and delineating “the boundaries of diplomatic amity with other countries” (Allinson, 2007: 17). Counselling applies not only to monarchs but also to Scottish networks engaged in the managing of regional territories. I have also added religion as a functional component, because faith in 16th-century Scotland was a group policy rather than a personal matter (Dawson, 1999: 213).

Likewise, the emotional components of social network ties are modified for 16th-century Scottish letter-writing networks. I would not use “friend” for categorising the emotional closeness of network contacts (Bax, 2000: 282). Friendship for 16th-century Scottish nobles must have been strategic relations, as in bonds of friendship, rather than emotional ties (Cathcart, 2006: 126, Fitzmaurice, 2000: 205). Moreover, *friend* could be synonymous with functional ties of kinship.⁶⁰ These arguments should not deny any positive feelings of closeness correspondents might have had for each other when asserting their friendship in letters. However, the lexeme *friend* in itself is not a reliable indicator of emotions. As a

⁶⁰ The DOST lists “kinsman, relative” among the most common senses of “frend(e n.”. The semantic overlap with *friend* in the sense of non-kin allies is exemplified in citations such as “your natiue frendis of consanguinite and affinite” or “Thair kin and frendis of the clannis and surnames of Elwald in Bagget”, quoted from *The Complaynt of Scotland*, a political pamphlet printed in 1549, and from a 1516 entry of the *Register of the Privy Seal of Scotland* (DOST, accessed 19 December 2014).

more applicable emotional component, I would propose expressions in which the closeness of a functional kin or friendship relation is highlighted by modifiers, e.g. *3ow as my speall(sic) friend* ‘you as my special friend’ (MS NRS GD112/39/11/4). In addition, I have replaced the components “acquaintance whom A likes” or “dislikes” by expressions of trust or distrust and assertions of loyalty because such expressions seem more evident in the investigated letters (Bax, 2000: 282). My proposed scale of emotional components is as follows, beginning with the strongest positive emotional bond and decreasing to the strongest negative emotional relation:

- a) Kin- or friendship term collocating with modifiers expressing closeness
- b) Acquaintance whom one trusts, and whose loyalty is asserted
- c) Acquaintance whose loyalty is questioned
- d) “enemy” (Bax, 2000: 282)

Bax (2000: 281-283) adopts Milroy’s (1980) system of calculating network-strength, but concedes that reconstructions of historical social networks are more complex. The strength of a functional relationship between two persons is calculated by assigning one point for each component which characterises the relationship in question. The strength of emotional ties is defined by a scale ranging from +2 points for the strongest positive emotional relation to -2 points for the strongest negative (Bax, 2000: 281-282). However, historical evidence for social ties is fragmented and biased (Fitzmaurice, 2000: 204). Perceptions of individuals are no longer directly accessible. Instead of interviews and direct observations, historical linguists use written sources such as correspondence and diaries (Bax, 2000: 284, Fitzmaurice, 2000: 204). As a consequence, any quantification of emotional components is not objective, because calculations are based on participants’ subjective perspectives of their relations to others (Bax, 2000: 282-283). Moreover, correspondents may not tell each other the truth about how they view their emotional relationships, which Bax (2000: 285) calls the “politeness filter”. Both of these points are especially interesting for the dynamic, strategic use of social-network claims in conflict-situations.

For historical pragmatic analyses, the approach for network-strength needs to be even more flexible than in historical sociolinguistics. In pragmatics, the focus is on situational context, which means that social relationships are subject to participants’ (re-)negotiations. Especially emotional ties can be challenged in specific conflict-situations. Functional ties are arguably more stable. However, participants can redefine their weightings; for exam-

ple, kinship can be assigned a much higher value than any other functional tie, or can even be devalued. Thus, network-strength cannot be strictly quantified. Still, components of a network-strength scale can provide more context-spanning determinations of social relationships, which help to distinguish between intra-group and intergroup conflicts (see Figure 4.1 below).

The above-defined network-strength scale underpins the dimensions of public accessibility and conflict-scope⁶¹ in 16th-century Scottish correspondence (Figure 4.1). Conflict-scope may be broadly divided into intra-group and intergroup conflicts. Intra-group conflicts occur between members of the same group. Intergroup conflicts “emerge when two or more groups, with their own culture, objectives or beliefs, take actions that go against each other’s values” (Carneiro et al., 2014: 12). Analyses of private-public dimensions are limited by the nature of historical data. In all cases, ratified members of a letter-exchange consisted at least of encoder, addressee and messenger. For additional access, I had to rely on hints in the letters of how the content was shared with others. Yet correspondence might have been shared with people not named in the letters. Moreover, trusted messengers might not always have been acknowledged. Hence, it is not clear which letters were sent more or less confidentially. As a result, there is no certainty as to how many ratified or non-ratified persons actually had access to a specific letter. Regarding conflict-scope, it is usually not possible to establish exact numbers of parties involved in a conflict; therefore, assignments of access and conflict-scope categories outlined in Figure 4.1 are probabilistic rather than precise. They are based on fragmentary evidence and assumptions informed by historical research. The dimension of conflict-scope is distinct from access, e.g. national conflicts could be discussed in letters shared by only very few people (see example (6) in Chapter 5).

⁶¹ Private-public dimensions are defined in Section 3.6. Some of Jeffries and Webb’s (2008, qtd. in Bousfield, 2013: 43) conflict-types are similar to the categories of conflict-scope in Figure 4.1.

Minimal letter access in all cases: encoder, addressee, messenger		Conflict-scope – conflict affects:	
Additional access to letter contents			
potentially closest circle	Only closest family members of encoder and recipient. The potentially closest circle can be a more non-public aspect of an inner-circle context.	intra-core	Core members of a specific social network, often kin-based
inner circle	Only core members of a social network (territorial or cross-territorial). Inner circle includes access to inner chambers of royal households.	intra-group	Core and more peripheral members
intra-group	Information can potentially spread across a group, e.g. clan, including core and peripheral members.	intergroup representatives	Representatives of different groups. Conflict can potentially expand to their groups.
representatives of different regional or national groups	Only heads of groups, including peripheral members of a social network. This category represents a more non-public aspect of an intergroup context, but is potentially more public than inner-circle because of the greater social distance between interlocutors.	intergroup	Regional conflict between two or more groups (groups based on relations of actual and fictive kinship, see Section 4.3)
intergroup	Information can potentially spread across two or more groups, going beyond territorial boundaries and cross-territorial inner-circle contexts.	national	Conflict affects a whole country
institutional	Information is shared in institutional contexts to which selected representatives of different groups have access, e.g. law-courts, outer chambers of royal courts.	national representatives	Conflict starts off between representatives of different nations; potential escalation to a large-scale international conflict
		international	Conflict between two or more countries

Figure 4.1. Access and scope of conflicts in early modern Scottish correspondence

When analysing verbal conflicts, attention is also paid to linguistic devices in offence-reports which are associated with politeness. The interplay between politeness and impoliteness is discussed by Culpeper (2011a: 155-178); for example, “*Verbal formula mismatches*” between politeness formulae and the co-text (see Section 2.4.2). For letter-writing in early modern Scotland, a concept is needed that comprises mismatches as well as apparently genuine and potentially successful mitigating facework. To capture these phenomena in one term I have developed the concept of politeness framings:

Politeness framings are linguistic expressions which occur before, within and/or after a reported offence and which convey – at least on the surface – a positive attitude towards another person and his/her behaviour. Politeness framings are used strategically or conventionally to maintain, save or give face₁ to the other or to orient towards the other’s social rights.⁶²

Politeness framings can be performed as speech-acts, for instance, impoliteness judgements can be framed by apologies. Prototypically, a felicitous apology requires the offender’s awareness of having committed an offence, an acknowledgement of his or her responsibility, and “some form of expression of regret” (Deutschmann, 2003: 45). Apologies can have different levels of “*apparent sincerity*”, ranging from insincerity, e.g. sarcasm, to apparently genuine feelings of regret (Deutschmann, 2003: 92-93, original emphasis). Whether apologies are supported by the writer’s sincere wish to avoid giving offence in advance or to seek forgiveness in retrospect can present challenges of interpretation, especially when there are no non-verbal cues such as tone of voice or facial expressions. At the same time, the difficulties in reconstructing sincerity levels of apologies draw attention to the fascinating interconnections between politeness and impoliteness. Politeness framings are similar to Johnson and Clifford’s (2011: 55) “masking politeness”. Both concepts refer to strategies used by participants to make verbal offences “harder to challenge” (Johnson and Clifford, 2011: 55). However, masking politeness is limited to insincere use of politeness strategies, whereas politeness framings are broader in function and comprise the full range of sincerity levels defined by Deutschmann (2003: 92-93).

4.6. Summary

The aim of this chapter was to contextualise the case studies on Scottish correspondence through a review of previous research on letter-writing in earlier periods. Politeness in English and Scottish correspondence has been widely studied, whereas impoliteness and

⁶² The building blocks of this definition, e.g. face₁ and social rights, are drawn from previous (im)politeness research (see Chapters 2-3).

verbal offences – the focus of this investigation – have received comparatively little attention. Private and public are frequently used terms to discuss access and content features of correspondence; however, as argued in Section 3.6 a more robust methodological framework is needed to distinguish between the different aspects of private and public.

Information on the socio-historical context is germane to reconstructing contemporary notions of (im)politeness and of private and public. The hierarchical and more collective social structures of Highland clans and Lowland kin-groups supposedly played an integral role in shaping perspectives of social rights/obligations as well as of face₁-sensitivities. Due to socio-historical conditions of letter-writing and literacy, privacy in early modern correspondence was limited. As a consequence, letter-writing in early modern Scotland was hardly used to maintain personal relationships (see Dawson, 1997: 4-5). As regards early modern epistolary practices, it is difficult to assess how ideas about epistolary conventions were disseminated and applied in everyday contexts.

Based on the review of historical research and observations in my datasets, the methodological approach outlined in Chapter 3 was elaborated. Insights from historical social network analysis were used to design a network-strength scale for establishing social ties pertaining to group aspects of face₁ and to private-public dimensions in letter-writing. Finally, politeness framings were defined as a concept to capture linguistic devices used by correspondents to moderate offence-reports.

In the next two chapters, offence-reports in correspondence are investigated for members of two different social groups. Chapter 5 compares upper-rank correspondents' offence-reports to the king's communicated perspectives of verbal offences. Chapter 6 examines private-public dimensions in the BreadC and James VI sub-corpora and their interrelations with perceptions of offence.

5

The language of epistolary offence-reports⁶³

5.1. Introduction

In his kingship manual, the *Basilikon Doron*, James described his view of the Highlanders:

[...] as for the heelandes I shortelie comprehende thaim all in tua sortis of peopill the ane that duellis in oure maine lande that are barbarouse & yett mixed uith sum shau of ciuilitie, the other that duellis in the yles & are alluterlie barbares uithout any sorte or shau of ciuilitie [...]

‘as for the Highlands I shortly comprehend them all in two sorts of people, the ones that dwell in our mainland that are barbarous and yet mixed with some show of civility, the others that dwell on the isles and are absolute barbarians without any sort or show of civility’

(*Basilikon Doron*, 1944 [1598]: 70)

Civility had various meanings in the early modern period.⁶⁴ The Scottish king might have referred to his perceived absence of law and order in the Highlands or to his perceived shortcoming or lack of cultural refinement and polite behaviour of the inhabitants (see Cathcart, 2006: 50-51). In any case, he appears to draw a social distinction between himself as God’s anointed and his northern subjects (see *Basilikon Doron*, 1944 [1598]: 69-70).

Taking the king’s perspective as a starting-point, the aim of this chapter is to compare the language of offence-reports in the *Breadalbane* letters with James’s correspondence. How did correspondents in the investigated letters communicate a perceived breach of propriety in writing? Which social values are asserted in their judgements of verbal offences, and how can these values be linked to current theoretical concepts of impoliteness? Since notions of (im)politeness are subject to intra-cultural variation (Eelen, 2001: 136), it is likely that Scottish contemporaries outside the Campbell network had different attitudes towards social conduct. Moreover, given James’s royal status, it may be reasonably expected that his understanding of verbal offences was shaped by his social identity.⁶⁵ I will test these assumptions by searching for differences and similarities in verbal offence metadiscourse and conflict-strategies between James and the *Breadalbane* correspondents.

⁶³ The term offence-report is defined in Section 3.6.

⁶⁴ Many of the senses of “civility, *n.*” listed in the OED were in use in the 16th century (Third Edition, 2010, accessed 18 December 2014). See also Bryson’s (1998) study of *civility* in early modern England.

⁶⁵ I am grateful to Jeremy J. Smith for drawing my attention to James’s letters and their potential for my research.

The analysis consists of two topics: firstly, the verbal offence metadiscourse in the *Breadalbane* and James VI sub-corpora is examined by concentrating on a selection of salient linguistic features. The second part concerns the use of politeness framings.⁶⁶ Based on the main findings I will finally draw conclusions.

5.2. Verbal offence metadiscourse in letters

In this section, James's verbal offence metadiscourse is compared with that of *Breadalbane* correspondents. Their offence-reports in conflict-letters are searched for linguistic expressions which can be related to theoretical concepts of face and social rights/obligations. Metalinguistic labels referring to negative evaluations of behaviour are also considered. For reasons of space, the discussion focuses on shared expressions and on apparently distinct features. However, the metalanguage of offence in conflict-letters is not limited to those. For example, a report about a perceived breach of honour may not contain the keyword *honour*.

5.2.1. *Face₁-sensitivities and social rights/obligations expressed in conflicts*

James's verbal offence metadiscourse overlaps with that of *Breadalbane* correspondents in the use of the lexemes *honour* and *dishonour* to express face₁-concerns associated with superior status. *Breadalbane* correspondents use these lexemes to express concerns about the social-role face₁ of lordship. The honour of a lord or laird depended on their own actions but also on the behaviour of their inferiors. When some of Grey Colin's tenants were reported to have participated in raiding and murder, Grey Colin was held responsible for them (Dawson, 1997: 13). Argyll justified his exhortation of Grey Colin to Katherine Ruthven by stressing his intention to save Grey Colin's honour and his own, which he saw threatened by rumours about Grey Colin's involvement in killing a man: *we will performe ye samin to our awin | honour and his honour and ye weill of his hous* 'we will perform the same to our own honour and his honour and the well-being of his house' (MS NRS GD112/39/3/27). A superior's honour would also be impugned by attacks of others outside his group on "the life or goods" of his kin (Dawson, 1997: 12-13). When Grey Colin's goods were forfeited as the result of what he evaluated as an unjustified legal summons, he claimed that *ye dishonour of it will evir stand vpoun your lordshipis houss* 'the dishonour

⁶⁶ For a definition of politeness framings, see Chapter 4.

of it will ever stand upon your Lordship's [i.e. Argyll's] house' (MS NRS GD112/39/4/12).

Honour as a face₁-sensitivity had a distinct hierarchical dimension. The lexemes *honour* and *dishonour* are not attributed to people below the upper ranks. In superior-inferior relationships in which both parties belonged to the higher echelons, a breach of *honour/dishonour* might only affect the superior. Grey Colin, for instance, described the abovementioned forfeiture of his goods as *dishonour* to Argyll and the chiefly family, but as *ane grett pertialitie* 'a great partiality' to himself (MS NRS GD112/39/4/12). His lexical choices suggest that he saw the legal summons issued against him as a violation of his social rights, but as a collective face₁-threat to the house of Argyll. Incidentally, the association of *honour* with higher social standing is also recorded in the OED and the DOST.

In the investigated letters, James does not attribute *honour* to himself or anyone else except to the English queen. From James's perspective, Elizabeth might threaten her honour through her own behaviour. When he complained about her delay in responding to his letters and in paying him her promised financial support, he stressed the negative effects of her actions on her public self-image: *the disdainning of me can be no honour to you* (MS CP 133/176). Elizabeth's honour was also put at risk through the actions of her inferiors. In example (1) below, James was upset by the behaviour of one of Elizabeth's ambassadors, Edward, lord Zouche of Haryngworth; however, he did not further explain what Zouche said or did (Bruce, 1849: 99-103). Moreover, he was offended by Elizabeth's covert support of his enemy, Francis Stewart, first earl of Bothwell. Elizabeth saw the Protestant earl of the Scottish Borders as a strategic contact for conspiring against the Scottish Catholic nobles who had been involved in the Spanish blanks affair, a plot by the Spanish government against England. She secretly allowed his resetting in the English borderlands, even though, in her letters to James, she promised support for the king's persecution of the rebel earl (Doran, 2005: 212-213). James criticised Elizabeth for breaking her promises. He purported to be abhorred by the idea that Elizabeth secretly betrayed him through supporting Bothwell. At the same time, he argued that he found it hard to believe that she was ignorant and deceived by her subjects who furnished Bothwell with the financial means to mobilise troops and attack Edinburgh (see MS CP 133/123). The responsibility for Zouche's alleged misconduct and for the resetting of Bothwell is extended to the English queen:

- (1) suffer me not I praye you to be abusid uith youre abusairis, nor graunte no ouer=
sicht to ouersee youre owin honoure
(MS CP 133/123)

Similar to occurrences of *honour/dishonour* in the *Breadalbane* sub-corpus, Elizabeth is assigned collective social-role face₁ for inferiors for whom she was held accountable. For *Breadalbane* superiors, *honour* was related to their social-role face₁ of lordship; Elizabeth's *honour* pertained to kingship. The social-role aspect is emphasised by James, especially in three instances of *honour* that are modified by the adjective *princelie* (see MS CP 133/123, 133/125).

Concerning social rights/obligations, *Breadalbane* correspondents and James share the lexeme *duty* to express social-role obligations. Evidence of the *Breadalbane* sub-corpus suggests that *duty* was not rank-specific, as it was claimed downward, upward and between equals. As an example of social obligations from superior to inferior, Grey Colin considered it the *duty* of his superior kinsman John Stewart, the 4th earl of Atholl, to protect him and his estates. In the turmoil of the Chase-about Raid, Atholl threatened to attack the house of Glenorchy, because Grey Colin did not distance himself from his chief, who was suspected of raiding Atholl's lands. Grey Colin wrote a letter to William Stewart, the 9th laird of Grandtully, "Atholl's right-hand man", in which he defended his loyalty towards his cousin Atholl (Dawson, 1997: 33). Grey Colin argued that Atholl's threat went contrary to the earl's obligation to protect his kin: *gif my lord beis avisit and consider quhat is his | awin honour and Dewite it is nocht at me he suld begin to [...eve...] ye offencis | yat vyairis makis* 'If my Lord be advised and consider what is his own honour and duty it is not at me he should begin to [...eve] the offences that others make' (MS NRS GD112/39/5/5). The collocation of *honour* and *duty* in this letter illustrates how face₁-sensitivities could be derived from living up to the obligations of kinship, loyalty and lordship (see Section 4.5).

The *duty* expected from inferior to superior is the subject of Grey Colin's complaint to Dougal MacDougall of Dunolly, the head of a satellite kin-group under the lordship of Argyll (Campbell, 2002: 69). Grey Colin accused MacDougall and his followers of not fulfilling their obligations of service to him: *samony of 3our freyndis | yat hes proffit of me nor 3e will pay me my awin dewete of my landis as I schaw | 3ou oftymis* 'So many of your friends who hold benefits of me nor you will pay me my own duty of my lands as I show you many times' (MS NRS GD112/39/10/1). Grey Colin was not only offended by the

neglect of loyalty, but by the linguistic impoliteness of MacDougall and his men as they apparently put him off with insincere promises of support, or in his own words *with fenzeit flatterand wordis* ‘with feigned flattering words’ (MS NRS GD112/39/10/1).

Thirdly, *duty* also referred to social obligations between power equals. For example, the fulfilling of neighbourly duties was negotiated in the conflict between Grey Colin and James Menzies, laird of Weem, whose territories were adjacent to Glenorchy. Menzies had made an official complaint to the queen, who “sent a sharp reprimand to Grey Colin” (Dawson, 1997: 80). In his letter to Menzies, Grey Colin cleared himself of his neighbour’s accusations: *bot 3e salbe assurit yat I will nocht Do to 3ow bot ye Dewete of ane nychtbor* ‘But you shall be assured that I will only do to you the duty of a neighbour’ (MS NRS GD112/39/2/5). Grey Colin’s defence of his social-role face₁ of being a good neighbour further illustrates the interconnections between social rights and face₁.

James uses the lexeme *duty* in one of his letters to Maitland, presumably written in May 1584. The king was offended by Presbyterian protests against his newly established royal prerogative over all secular and ecclesiastical affairs (Lee, 1959: 55-56, Wormald, 1991: 44). Moreover, he rebuked Maitland, at that point his Secretary of State, for his failure to support the king in suppressing the rebellion (example (2)):

- (2) Secretaire, iohne andro hes informit me quhat the session of the
 kirke in edinbrouch hes ~~decreitit~~ \mintid at/ & sensyne reuokit
 in a pairt, thaire spyte in this hes maire offendit me then euer
 I uas sen god creatid me at that unuorthie sort of people nat=
 her haue ye done youre **deutie** in this maitter for youre **deutie**
 had it bene to haue dischairgit thaire communion & also
 thaire session quhill I hadd taikin farder order for \the/ repres=
 sing of that proude contempt [....]
 (BL Add MS 23241, f.5, emphasis mine)

As in the *Breadalbane* letters, *duty* is used in the context of a negative evaluation of someone’s fulfilment of his obligations as determined by that person’s social role.

Although James might use the same expressions as *Breadalbane* correspondents, the meanings he invested in them could be different. When he was vexed by his favourite’s continuous refusal to sleep in the royal bedchamber, he perceived Carr’s withdrawal of intimacy *as a point of unkindnesse* (LPL MS 930, Item 90). In the *Breadalbane* letters, *kindness* is a keyword for social expectations of loyalty in kin-relations or for the binding contractual rights of good lordship and loyalty between lords and vassals (Dawson, 1997: 11). Unlike

honour, kindness was not associated with a specific hierarchical position, but was reciprocal. In a conflict between Grey Colin and Argyll, Grey Colin reminded his chief of the loyal service paid to him by the house of Glenorchy in the past and implied that he expected Argyll to fulfil his part *to keip* | *ye auld kindness yat wes betuix your lordshipis hous & myne* ‘to keep the long-standing relationship of kin-loyalty between your Lordship’s house and mine’ (MS NRS GD112/39/2/21). The cause of offence in James’s case does not concern a neglect or violation of loyalty based on kinship or manrent. Neither of these aspects applies to James’s relationship with Carr (see ODNB). Rather, *unkindness* might refer to a “lack of affection” in what was presumably a perceived breach of activity-involvement⁶⁷ (OED).

The lexical choices for reporting threats – as a violation of the social right to non-intimidation of the “physical self” (Culpeper, 2011a: 42)⁶⁸ – reveal a supposedly dialectal difference between James’s letters and the *Breadalbane* sub-corpus. When James tried to deny the implied threat perceived by Elizabeth against her in one of his letters, he referred to the alleged offence as *á threatning* | *of you* (MS CP 133: 125, Bruce, 1849: 106). By comparison, the lexemes *threat* or *threaten* do not occur in the *Breadalbane* sub-corpus. Instead, *Breadalbane* correspondents use *bo(i)st* or *brag* when reporting threats (e.g. MS NRS GD112/39/5/21 and 6/22). For both *bo(i)st* and *brag*, “to threaten” is recorded as a denotation in the DOST and OED. Furthermore, for “boast, v.¹”, all citations in the OED given for this specific meaning after 1300 are based on Scottish texts (Second Edition, accessed 21 December 2014). Likewise, for “brag, v.”, the third sense of “to threaten” is described as obsolete or dialectal with references to Scottish or Northern English texts (OED, Second Edition, accessed 21 December 2014). In view of this evidence, *Breadalbane* correspondents’ use of *bo(i)st* or *brag* when reporting threats might have been a distinctive Scots or Northern English feature. James’s lexical choice of *threaten* was possibly his accommodation to the English queen’s preferences. Elizabeth had evaluated James’s previous letter as *a threte of hel* | *to her* (BL Add MS 23240, f.132).

Furthermore, offence-reports in letters of James and the *Breadalbane* correspondents show a shared religious dimension. In 17 out of the 43 selected conflict-letters, *Breadalbane* correspondents invoke God when defending their face₁ or social rights (see Appendix 1). For example, when Grey Colin criticised his chief for not keeping his promises of support,

⁶⁷ For a definition of activity-involvement, see Section 3.5.2.

⁶⁸ The concept of physical self is defined in Section 3.5.2.

Argyll denied any neglect of his lordship duties. In the defence of his social-role face₁, Argyll called upon the highest authority to counter the false accusation: *we vill mak god iuge that ye wyit was nocht in [yis] ne[gligent] yairfor | it is nocht neidfull to blame us of our promess ony far[der]* ‘we will make God judge that the blame was not in this neglect, therefore it is not necessary to blame us of our promise any further’ (MS NRS GD112/39/9/29). Grey Colin himself was criticised by one of his inferior kinsmen, James Campbell, 2nd laird of Lawers, for not keeping their land-leasing contract and for not answering James’s letters. As the last step of pleading his social rights, James Campbell called upon God as a witness for his case: *to writ foryair it is bot veyn for god & 3our self | knawis ye verette* ‘to write any further it is pointless because God and yourself know the truth’ (MS NRS GD112/39/1/8). The strategy of strengthening claims to face₁ and social rights by invoking God as the ultimate authority appears to be part of correspondents’ identity constructions in conflict-situations. A helpful concept to describe this phenomenon is Bucholtz and Hall’s (2004: 386) authorisation, i.e. “the attempt to legitimate an identity through an institutional power or other authority”. In the socio-historical context of 16th-century Scotland, the idea that human beings were appointed by God into their status and social roles was still deeply rooted in people’s minds (Goodare, 1999: 18-19, 40). God was the supreme agency behind all social structures and any face₁-sensitivities derived from contemporary social values. The evidence of the *Breadalbane* letters suggests that correspondents referred to God when they felt the need of an authority beyond themselves in perceived attacks on their reputation or social rights.

When it comes to defending his public self-image, James employed the same authorisation strategy. In his letter to Carr and in two letters to Elizabeth, James invoked God as the highest authority to support his claims to positive values attributed to his rapport-management and the fulfilment of his social obligations. Carr, for instance, suspected the king of being involved in factions against him, which were aimed at ousting him from his favourite position (Stewart, 2003: 265, 268-269). Carr’s reaction was furious; he started abusing the king verbally and withdrew from their previous intimacy (ODNB). When rebuking his favourite for his tirades and his lack of trust in his master, James used the authorisation strategy of calling upon God as a judge or witness to his own blameless conduct no less than six times, e.g. *God is my iuge | my loue hath bene infinit towards you* (LPL MS 930, Item 90). Similar to *Breadalbane* correspondents, the Scottish king referred to God when he apparently needed the only authority beyond himself to buttress his face₁ in

conflict-situations. It was probably a more widely shared convention, since Williams (2013: 197-198) observes the same pragmatic device in early 17th-century English letters.

Some cases seem ambiguous as to what underpinned communicated perceptions of offence. In the *Breadalbane* letters, impoliteness was, for example, attributed to the neglect of providing an excuse if one could not attend a meeting. The issue is addressed in the letter of William, the 4th lord Ruthven, to his aunt Katherine Ruthven. Grey Colin had agreed to meet Matthew Stewart, the 4th earl of Lennox – at that time Lord Regent – in Edinburgh. William Ruthven advised Katherine that Grey Colin should either go and meet the Lord Regent or at least apologise if he could not come (example (3)):

- (3) At ye lest I wald [illegible] to wret
 sum fair excuss to my Lord regentis selff gif he may in
 cumm becaus it wilbe tain in werrey ewell part in respect
 he promisit of before to cum giff he stay now [...]
 ‘At the least I would [illegible] to write some fair excuse to my Lord Regent’s self if he
 [i.e. Lennox] may come in because it will be taken in very evil part since he [i.e. Grey
 Colin] promised in advance to come if he [i.e. Grey Colin] stays now’
 (MS NRS GD112/39/11/8)

It has been difficult to identify the impoliteness constituents involved in Lennox’s reaction as anticipated by William Ruthven. From Lennox’s perspective, social rights seem more plausible than face₁ because attending appointed meetings in Late Middle Scots was to *keip tryst*, a phrase which conveys a sense of obligation of an interpersonal contract (e.g. MS NRS GD112/39/11/8 or GD112/39/13/7). The fact that Ruthven wrote to Katherine suggests that she should act as intermediary to maintain face₁ attached to the relation between Grey Colin – as the indirect target of Ruthven’s letter (see Levinson, 1988) – and Lennox. No claim is made in the letter that Lennox’s social entitlements were based on kinship or loyalty, even though Lennox was Grey Colin’s cousin (see Dawson, 1997: 223). Still, those values could have shaped beliefs related to promise-keeping. Nevertheless, William Ruthven’s letter differs from many other letters in the BreadC in its lack of foregrounding contemporary upper-rank values.

5.2.2. *Sharp letters and offended correspondents*

A comparison of metalinguistic labels referring to negative evaluations of behaviour reveals further similarities and differences between James’s conflict-letters and those of *Breadalbane* correspondents. An obvious parallel between the two samples is the keyword

offend to report perceived offences (see example (2) above and MS NRS GD112/39/6/31: *his lordship was sumpairt offendit yath-I with me*). In addition, both James and *Breadalbane* correspondents used *sharp* for negative evaluations of the tone of their letters (see examples (4), (7) and (10) below). The phrase *tain in werrey ewell part* in example (3) above communicates an impolite uptake of a specific communicative behaviour, or in this case, of the absence of expected behaviour. It is the opposite of *in ye best part*, which conveys a polite uptake in other *Breadalbane* letters (MS NRS GD112/39/7/1, example (6) below). The latter expression is also attested in a request by James that Elizabeth might revise her offensive uptake of his previous letter and accept it *in the better pairt* (MS CP 133: 125).

A difference between James's letters and the *Breadalbane* sub-corpus is James's lexical choice of *rudeness*. James uses it in one of his letters to Elizabeth to describe his linguistic behaviour towards the English queen as potentially impolite: *my homelie rudeness* (MS CP 133/125). The lexemes *rude* or *rudeness* do not occur in the BreadC. Dawson (1999: 231) cites a letter from the 4th earl of Argyll to Archbishop Hamilton, containing the word *rude*. The letter was written in March 1558 and reproduced in John Knox's (1587: 230) *The History of the Reformation*. The chief's collective self-reference *we Hyland rude people* conveys a perceived need for education, without any connotations of impoliteness, as he asked Hamilton to provide "a true and orthodox preacher" (Dawson, 1999: 231). *Rude* and *rudeness* had different meanings in the 16th century, e.g. "[l]ack of knowledge or education", which is now obsolete, or "lack of civility or courtesy" (OED).⁶⁹ James used *rudeness* in the latter sense, and thus employed one of the most common metalinguistic labels in present-day British impoliteness reports (Culpeper, 2011a: 82-100).

A characteristic feature of James's style, which is part of his metalanguage of offence, is his references to classics. In example (4), he alluded to Horace's *Epistles* when justifying his sharp letter to Maitland:

- (4) I wrett **shairpelie** for quhen my proper actionis are callid in question
tunc mea res agitur⁷⁰
(BL Add MS 23241, f.5, emphasis mine)

In a letter to Elizabeth, he used *charibdis & silla* as a metaphor for his dilemma of having to choose between two possible interpretations of Elizabeth's behaviour in the Bothwell affair, both of which he evaluated as potentially face₁-threatening (MS CP 133/123; see

⁶⁹ See OED entries "rude, *adj.* and *adv.*" and "rudeness, *n.*" (Third Edition, accessed 20 December 2014).

⁷⁰ "then my interests are at stake" (Akrigg, 1984: 53).

example (1) above). Unlike James, *Breadalbane* correspondents did not use Latin quotes or references to Greek mythology as part of their discourse in conflict-situations. James's references to classics were part of his self-fashioning⁷¹ as a learned man, following the humanist *Zeitgeist* of the Renaissance (see Thomas, 2012: 200-201).

5.3. Politeness framings⁷²

This section is dedicated to the investigation of when and how the *Breadalbane* correspondents and James framed reported offences with linguistic devices associated with politeness. The question of *how* will be addressed first by describing forms of politeness framings in the *Breadalbane* sub-corpus. Secondly, observations will be made with respect to their functions and distribution in *Breadalbane* conflict-letters. Thirdly, the findings of the *Breadalbane* sub-corpus are juxtaposed with the Scottish king's use of politeness framings.

5.3.1. Forms of politeness framings in the *Breadalbane* letters

Breadalbane correspondents used a variety of politeness framings. Grey Colin, for instance, ends a complaint to his chief with an apology: *I pray 3our lordship to apardone me for writting to 3our lordship sa | scharply* 'I pray your Lordship to forgive me for writing to your Lordship so harshly' (MS NRS GD112/39/12/13, see example (7) below). Another typical form of politeness framing in the *Breadalbane* sub-corpus is affirmations of trust. Affirmations of trust consist of an epistemic verb phrase such as *I believe* followed by asserting the other person's conformance to social norms or a denial of his or her violation of those norms. For example, as chief, Argyll had to mediate complaints of inferior clansmen about his cadet-heads' violations of lordship. When investigating accusations of Grey Colin's tenants about Grey Colin's ruthlessness, Argyll tried to soften the blow on Grey Colin's social-role face₁ of lordship with affirmations of trust in his cadet-head's integrity, e.g. *I beliwe assurittly yatt 3e will do | na mane harme quhowme 3e knaw to hawe our mentynans* 'I believe assuredly that you will do no man harm whom you know to have our maintenance' (MS NRS GD112/39/2/20). Offence-reports could also be moderated by asserting one's readiness to overlook the perceived offence. This strategy is performed by Grey Colin when he claims that he would receive Grandtully's letter favourably, i.e. *in ane gude part*, despite having expected a letter from Atholl (see example (5) in Chapter 6).

⁷¹ For the term *self-fashioning*, see Greenblatt (2005).

⁷² For a definition of the term, see Section 4.4.

Different forms of politeness framings can co-occur. Argyll, for instance, combined hedges with an apology to communicate a dispreferred response to Grey Colin (example (5)):

- (5) And als I merwell of 3ou yat
 desyiris me to gif 3ow over ye superieorietie of glenwrquhay
 for I beleif *yat* my foir bearis gait it *nocht* so *lychtly* and
 I am werie sorie yat 3e suld wryit sik ane proposition
 quhilk *compellis* me to gif yat ansure *yat* I wald be laith to do
 ffor suirle be 3e assurit yat ~~qu~~ howlang yat I leif yat
 I will *nocht* give 3ou ye said superieorietie for I thynk me
 worthy of ye samin suppois it ware better nor it is for I
 thynk to keip *yat* thyng yat my foirbearis haid [...]
 ‘And also I am astonished that you ask me to hand over the superiority of Glenorchy to you because I think that my ancestors did not get it so easily. And I am very sorry that you should write such a proposition which compels me to give the answer that I am reluctant to give. Because surely I assure you that I will not give you the said superiority as long as I live. Because I consider me worthy of the same suppose it were better than it is since I intend to keep the thing that my ancestors had.’
 (MS NRS GD112/39/2/22)

Grey Colin had suggested that Argyll should sell the superiority of Glen Orchy to him “so that he could hold Glen Orchy direct from the Crown” (Dawson, 1997: 73). Argyll had to reject Grey Colin’s proposition, because he would have given away land that he had inherited from his ancestors. The loss of inherited land was regarded as “dishonour” since a nobleman’s honour was tied to the protection and expansion of his territory (Dawson, 1997: 12). Argyll’s face₁-concerns conflicted with the implicature of Grey Colin’s previous letter that the handover of the superiority of Glen Orchy would have been a well-deserved reward for loyal services paid to Argyll in the past (see MS NRS GD112/2/21). As it seems, Argyll had to complete some polite preparatory work before venting his anger. He presented himself as being forced to give the dispreferred response by the content of the proposition itself, i.e. the threat to the honour of Argyll and his house. He thus supported his apology with “*overwhelming reasons*” for denying Grey Colin’s proposition (Brown and Levinson 1987: 189, original emphasis). Moreover, the phrase *I merwell* is a weakening hedge⁷³ for Argyll’s offensive uptake of Grey Colin’s letter. That Argyll was upset rather than just astonished becomes evident in the letter of John Campbell of Skipnish, another member of the Campbell fine, who observed the chief’s reaction and gave a rather frank report of it to Grey Colin: *and me lord was sumpairt crabit yat 3e wraite | safar as 3e deide* ‘And my Lord was somewhat cross that you wrote as far as you did’ (MS NRS GD112/39/6/31).

⁷³ The term *hedge* refers to words or phrases which are combined with other parts of a sentence in order to weaken or strengthen the meaning of those other parts in some respect. Brown and Levinson (1987: 145–147) note the politeness functions of hedges as mitigation strategies to take the edge off face-threats.

Some politeness framings seem to be more conventionalised than others. William Ruthven's warning of a possible offence taken by Lennox in example (3) above is followed by a remark that Grey Colin may act according to his own wisdom (*refar to his awin wysdome*, MS NRS GD112/39/11/8). This phrase is a politeness formula attested in other *Breadalbane* letters (e.g. GD112/39/12/5). It appears to be a convention when giving advice. The wording evokes a perception of quality-face₁ credited to the addressee's or referent's ability to make the right decisions, and consideration of the other's right to non-imposition of not being forced to act according to the writer's advice. As a cause of offence, non-imposition was of minor importance in the *Breadalbane* sub-corpus, but it was more common in conventionalised politeness.

Even more conventionalised was the use of honorifics. The adherence to contemporary practices of deferential address is a type of politeness framing that has been observed in the *Breadalbane* letters in general. Regardless of how upset correspondents were emotionally, they would always pay their due respects to the recipient's status in the opening/closing formulae and in honorific address-terms throughout their letters, analogous to recommendations in Fulwood's (1568) letter-writing manual. Deferential address in the *Breadalbane* letters was a form of discernment politeness.⁷⁴ It did not involve pragmatic choice in the sense of strategic non-imposition politeness, but was instead governed by social conventions of encoding power relations and social distance between correspondents (see Jucker, 2010, Section 2.6). Discernment politeness was also observed when referring to third-party offenders except for derogatory terms that stigmatised out-groups like the Clan Gregor (see Section 6.3). Grey Colin, for instance, used honorific third-person reference for Atholl when complaining about the latter's omission of sending him a personal letter, e.g. *my lord of athole* (MS NRS GD112/39/6/24, see example (5) in Chapter 6).

5.3.2. *Functions and distributions of politeness framings in the Breadalbane letters*

Concerning their functions politeness framings could be used with apparently sincere motives of maintaining or saving rapport. Patrick Murray, laird of Tibbermuir, once accused his cousin, Katherine Ruthven, of being on the wrong side in the Scottish civil wars (Dawson, 1997: 52-53). Murray had heard that Katherine and her husband, Grey Colin, had joined the queen's party, i.e. the supporters of the Catholic queen Mary Stewart. Because

⁷⁴ Discernment politeness is defined in Chapter 2.

the Murrays, Ruthvens and Campbells were Protestants, this news caused great distress to Murray (Dawson, 1997: 40-41, example (6)):

- (6) Bot allace I fei[r 3e hav]e
 schakyn handis *with egypt* and I never luikit for 3our punyschment [vtorly] *quhill* now
 And *yat* becaus I se 3ou enterit in leig and couenant *with ye babilonians* in ather
 of 3our handis bot becaus 3e ar ane vaik veschell and ane voman god strenthe[n]
 3ow in 3our afflicciounis as he did to trew Juda / bot to *impesche 3our ladyship with*
saidis |
 vreit I vill *nocht* [...] *3our ladyship* man tak
 my hamelie and scincir vreiting in ye best *part* becaus ye greif of my hert[e]
 is sua Dolouris to heir of 3our gryt Defeccoun frome god [...]
 ‘But alas I fear you have shaken hands with Egypt and I never expected your punishment
 utterly till now. And that because I see you entered an alliance and covenant with the
 Babylonians in either of your hands. But because you are a weak vessel and a woman
 God may strengthen you in your afflictions as he did to true Judah. But I do not want to
 impede your Ladyship with said letter [...] Your Ladyship must take my outspoken and
 sincere writing in the best part because the grief of my heart is so painful to hear of your
 great falling away from God’
 (MS NRS GD112/39/7/1)

The metaphorical Old Testament person-references convey Murray’s perception of how disastrous Katherine and Grey Colin’s allegiance to the queen’s party was. By referring to the queen’s party as *egypt* and *babilonians*, and by associating Katherine with *Juda*, Murray implied that the Catholics were idolaters and enemies to the true religion, i.e. Protestantism. Murray’s accusation posed a potential threat to Katherine’s and Grey Colin’s social-network face₁. The positive value at stake in this context was loyalty in terms of religion and politics. Katherine and her husband’s covenant with the queen’s party was seen by Murray as associating with their adversaries and betraying social-network ties to fellow Protestants and the expected loyalty to the Protestant prince, James (see Dawson, 1997: 52-53). Murray shows awareness for the face₁-risk through the self-evaluation of his criticism and several politeness framings, which seem to serve a genuine intention of warding off the offence. His accusation is preceded by a promise of loyalty to Katherine, which was a significant element of rapport maintenance in kin relations (Dawson, 1997: 53): *at 3our ladyshipis command to gyf my body with it* (MS NRS GD112/39/7/1). Thus, in a situation in which he questioned Katherine’s position between opposing social networks, he would still confirm their close relationship. Furthermore, he implores Katherine to recognise the well-meant intentions behind his criticism as he affirms to act out of *sincere* concern for her state of faith. Additionally, his biblical image of Katherine as a woman (*vaik veschell*) should reduce the gravity of the anticipated offence. It implied that she could not be held fully responsible for being on the wrong side. If and how Katherine re-

plied to Murray's letter is unknown; however, in the socio-historical context of the 16th century it is plausible that she evaluated the metaphorical comparison as mitigating rather than as additionally offending.

By contrast, politeness framings could also be apparently superficial. In one of his letters to his chief, Grey Colin blamed Argyll for the escalation of the feud between the Glenorchy Campbells and the Clan Gregor, but then apologised for his harsh criticism (example (7)):

- (7) [...] the *quhilk* god
 knawis yat 3our *lordship* hes ye temperale swird in 3our *lordshipis* hand and will *nocht*
 wiss ye *saming* according to 3ouris honour and conscience yat ye pvir anes mycht
 haif aquietnes / *nochtwithstanding* I sall tak god ~~and~~ to witnes yat 3our *lordship*
 hes the haill wyte of all ye skayth yat I gat / Bot or I seik ane vyer refug
 or ane fortifier in my just actioun agains ye clangregor bot 3our *lordship* I sall
 lat ye world kemmit yat 3our *lordship* is in ye wyte [...] *becaus* ye matter is wychty and
 rynis to 3our *lordshipis* gret honour / I hoip in god 3our *lordship* sall know efterwart
 quhen evir 3our *lordship* wantis my *serviuce* yat ~~ye will~~ 3our *lordship* will haif inlaik of
 it / and it is able to be a memorie efter yat I am departit [...] *I pray* 3our *lordship* be *nocht* miscontentit for I assuir 3our *lordship* I salbe ane
 man of estimatioun yat is cumin of 3our *lordshipis* hous yat sall byde at 3our
merk quhen wyeris will laif 3owr *lordship* [...] *I pray* 3our *lordship* to apardone me for writting to 3our *lordship* sa
 scharply for of trewthe I tell bot ye werety [...]

'God knows that your Lordship has the temporary sword [of authority and jurisdiction in secular matters] in your Lordship's hand and will not use the same according to your honour and conscience that the poor ones might have peace. Nevertheless, I shall take God to witness that your Lordship has the whole blame of all the scathe that I got. But before I seek another refuge or a supporter in my just action against the Clan Gregor than your Lordship I shall let the world know that your Lordship is to blame [...] because the matter is weighty and goes against your Lordship's great honour. I hope in God your Lordship shall know afterwards whenever your Lordship wants my service that your Lordship will miss it and it is able to be a memory after I have passed away [...] I pray your Lordship be not discontented because I assure your Lordship I shall be a man of estimation that comes of your Lordship's house that shall stand by your purpose⁷⁵ when others will leave your Lordship [...] I pray your Lordship to forgive me for writing to your Lordship so harshly because indeed I tell but the truth'

(MS NRS GD112/39/12/13)

The feud between Grey Colin and the Clan Gregor is a repeated concern in the BreadC until its settlement in 1570 (Dawson, 1997: 55-59). It was Argyll's responsibility, as chief of Clan Campbell, to protect Grey Colin as his kinsman and restore order in his territory (Dawson, 1997: 12-13, 180). In example (7), Grey Colin put Argyll's social-role face₁ at risk by presenting him as a lord who ignored the sufferings of his subordinate kinsmen, even though he had been authorised by God to protect his territories. Through the authori-

⁷⁵ The translation of *merk* follows Dawson's (1997: 180) annotations.

sation strategy Grey Colin asserted that his chief was powerful enough to protect his inferiors. By implication, Argyll's honour was threatened by his neglect of lordship duties, not by an incapability of fulfilling them. Grey Colin's apology shows awareness of the potential threat to his chief's face₁, yet not necessarily sincere regret. There is a verbal formula mismatch⁷⁶ between the apology and Grey Colin's subsequent assertion that his accusation was based on truth (*for of trewthe I tell bot ye werety*, MS NRS GD112/39/12/13). It is unlikely that Grey Colin's criticism was a deliberate attack on Argyll's face₁. Rather, his primary interactional goal was to get more support from Argyll in the MacGregor feud. In the pursuit of this aim, he took the offensive potential of his letter into account as a side-effect, or as incidental impoliteness (see Section 2.3.2). His insistence on telling the truth evokes an understanding that his apology was somehow half-hearted. By framing his negotiation of his right to criticise Argyll with a mitigating move, Grey Colin appears to have his cake and eat it too. Interestingly, Grey Colin could confront his chief in this case, and apparently get away with it. When Argyll rejected Grey Colin's accusations, he rebuked Grey Colin for not telling the truth (MS NRS GD112/39/2/22 and 9/29). Otherwise, Argyll did not respond to Grey Colin's accusations; however, Grey Colin's outgoing letters have only survived as drafts, and it is uncertain to what extent Grey Colin revised the content before sending them off (Dawson, 1997: 180). Furthermore, we do not know whether Argyll preferred to discuss his conflicts with Grey Colin in their personal meetings. From the evidence in the *Breadalbane* letters, it can only be tentatively assumed that Grey Colin was allowed to criticise his superior if his complaint was supported by facts as this would not infringe his obligations of showing respect.

Furthermore, the BreadC offers evidence that affirmations of trust failed to have the purported effect of face₁-threat mitigation. In his pursuit of the rebellious MacGregors, Argyll wrote an intimidating letter to David, 2nd lord Drummond, in Strathearn to ensure Drummond's support (example (8) below). Drummond and his men were suspected of resetting, i.e. offering shelter, to the MacGregors, who had officially been declared as outlaws (Dawson, 1997: 57). Argyll framed his threat of persecuting any resetters of the Clan Gregor by affirmations of trust and non-imposition politeness:

- (8) And douttis nocht bot *3our lordship bayth* in respect of [ye assurans] of amitie betuix *our housis* and also for ye weill of my freindis and cuntre to sowpe and clenge yaim out of *3our boundis* and mak ye samin fre *yairof* for *vyerwayis* I feir yat ye *serwandis* quhom I have send to persew yaim will wse extremitie vpoun all

⁷⁶ For a definition of the term, see Section 2.4.2.

yaim yat hes bein & is ressetoris and ment[enaris] of yaim as weill as
 vpoun ye saidis clangregour [...]
 And yis I thocht guid to mak 3our lordship
 forsein into nocht doutinge bot 3our lordship willis to tak [illegible] heirin and
 do accordinge to 3our lordshipis awin honour and ye weilfair of freindis
 besydis ye respectis aboin writin Sua desyring 3our lordshipis
 ansuer in writ with ye berar Committis 3our lordship to ye almichtie
 god of lochawe yis xvijj *day* J day of July 1570
 3our lordshipis gud freind

‘And not doubting but your Lordship both in respect of the assurance of friendship between our houses and also for the well-being of my friends and country to remove them [i.e. the MacGregors], sweep your lands clear and make the same free of them. Because otherwise, I fear that the servants whom I have sent to persecute them will use extreme severity on all of them that have been or are resettlers and maintainers of them as well as on the said Clan Gregor [...] And this I thought good to make your Lordship foresee into, not doubting but that your Lordship is willing to take [illegible] herein and do according to your Lordship’s own honour and the welfare of friends besides the respects above written so desiring your Lordship’s answer in writing with the bearer. Committing your Lordship to the almighty God. Of Loch Awe this 18 day of July 1570. Your Lordship’s good friend’

(MS NRS GD112/39/8/5)

Argyll repeatedly stressed his trust in Drummond to support him in his persecution of the MacGregors. He repeatedly asserted the positive relations of friendship between them. Moreover, he used a conventionalised formula of passing on information without forcing the addressee to take action (*And yis I thocht guid to make 3our lordship forsein into*). There is a verbal formula mismatch between these politeness framings and Argyll’s implied view of Drummond, which is marked by the connective *For vyerwayis*. If Argyll had been fully convinced of Drummond’s loyalty, why did he send a letter declaring his rights to use physical violence against any resettlers of the Clan Gregor? Grandtully’s letter to Grey Colin suggests that Argyll and Atholl must have been seriously worried that Drummond and his men might not prove loyal to the Campbells and host the Clan Gregor on their lands (see example (2) in Chapter 6). Moreover, it reveals that the interactional goal of Argyll’s letter was to make Drummond and his men comply with their purposes, and to achieve this by means of intimidation. Grandtully’s metapragmatic comment suggests that Argyll’s letter should not seriously damage his rapport with Drummond (*it culd do nay hurt*, example (2) in Chapter 6). Its illocutionary force was to threaten Drummond; nevertheless, it should probably avoid impugning Drummond’s honour to an extent that the Strathearn lord would have felt obliged to retaliate with physical violence.

This view is corroborated by Drummond’s reply to Argyll’s letter. Drummond obviously felt the need to present himself as an ally who had not failed in sustaining the generational friendship between his and Argyll’s house: *the auld kyndnes yat hes indured hundred 3eirris*

sall not fail in my part ‘the long-standing relationship of loyalty that has endured hundred years shall not fail in my part’ (MS NRS GD112/39/9/5). These defensive strategies indicate that Drummond experienced Argyll’s letter as a face₁-attack (see Section 6.5 for more details). Moreover, Drummond seems to harness Argyll’s politeness framing device by using an affirmation of trust in Argyll’s wisdom to prevent undeserved harm to him and his men: *I beleive your lordship will not thoill your servandis to do any thing to me or | myn bot that thing yat is honest and ressonable* ‘I believe your Lordship will not allow your servants to do anything to me or mine but that thing that is honest and reasonable’ (MS NRS GD112/39/9/5). Drummond’s purported affirmation of trust implies that he read Argyll’s letter not only as a face₁-threat, but also as a serious threat to the physical self of him and his group. Drummond’s and Argyll’s letters show how social-network ties were expressed with a “politeness filter” (Bax, 2000: 285, see Section 4.5). Argyll’s affirmations of trust are not substantiated by genuine beliefs in friendship and loyalty. Rather, they are an example of the strategic use of social-network claims in conflict-situations to negotiate face₁ and put pressure on dubious political allies. In fact, the interpretation of Argyll’s letter in the context of the whole sequence reveals that it was *written and read* as an act of intentional impoliteness to exert power in the desperate attempt to settle the escalated feud.

Likewise, other letters reveal a mismatch between the locution and illocution of affirmations of trust. Grey Colin was offended by Argyll’s mediated accusations against him of having violated lordship towards his tenants despite Argyll’s affirmations of trust (see MS NRS GD112/39/2/20 and 2/21). Moreover, Argyll evaluated one of his own letters as *sharp* although the letter contained strategies of the same kind to frame a complaint (MS NRS GD112/39/6/8). As contemporary interpretations of politeness framings, these examples illustrate that the implied meaning behind affirmations of trust in the context of those epistolary interactions was not a genuine expression of one’s beliefs in the recipient’s loyalty or good lordship, but an empty formula of giving face₁ on the surface.

As regards their distribution, the use of politeness framings does not seem to be restricted to particular conflict-situations. Overall, they occur in 32 out of 50 letters, thus in nearly two thirds of the *Breadalbane* sub-corpus (see Appendix 1). Politeness framings were used in various power relations, towards superiors, inferiors and equals. They were mostly targeted at alleged offenders (21 letters, see example (7) above) or offended parties (8 letters, example (6) above). In some cases, politeness framings were part of offence-reports sent to

superior representatives of alleged offenders (3 letters) or to intermediaries (2 letters).⁷⁷ When Archibald Campbell, 3rd laird of Inverawe, reported undue harshness of one of Grey Colin's tenants towards another tenant of lower standing, the complaint was addressed to Grey Colin as lordship of both the offender and the offended. The offence-report constituted a request to Grey Colin to execute justice for the mistreated inferior. Archibald Campbell of Inverawe hedged his request with a conditional: *gif 3e think it guid or necessary 3e sall writ | to ye said pryour to be nocht sa sair on 3our servandis* 'if you think it good or necessary you shall write to the said prior [i.e. the offender] not to be so harsh on your servants' (MS NRS GD112/39/6/26). This reference to the addressee's own judgement is another example of non-imposition politeness, in this case from one cadet-head to another within the same clan. In example (3) above, the advice regarding the anticipated offence was addressed to Grey Colin's wife, but the politeness framing of non-imposition was directed at Grey Colin, the indirect target of William Ruthven's warning.

5.3.3. *The king's politeness framings*

In this analysis of James's politeness framings, I will first examine James's display of humility and flattery in letters to Elizabeth. Secondly, I will compare James and Argyll concerning their use of politeness framings towards their upper-rank inferiors. Thirdly, attention is drawn to forms and functions of James's affirmations of trust in letters to Elizabeth and how they map onto strategies in the *Breadalbane* sub-corpus.

James's submissive attitude towards Elizabeth is obvious in his letter written in April 1586 concerning the Treaty of Berwick (Bruce, 1849: 31-32). The letters between James and Elizabeth preceding their signing of the treaty on the 5th July 1586 served to negotiate the terms and conditions of the Anglo-Scottish alliance. The shared aims were to resolve cross-border conflicts and establish a Protestant league against Catholic kingdoms in Europe. For himself, James requested an official acknowledgment of his claim to the English throne (Doran, 2005: 204). The English goal was to bind James's loyalty to England and distract him from renewing the auld alliance with France by baiting him with an "unstated promise of succession" (Wagner and Walters Schmid, 2012: 115-116). In his letter, James had to make up for two offences, one anticipated by him and one perceived by Elizabeth. First, he apologised to Elizabeth for delaying his correspondence regarding the Anglo-Scottish

⁷⁷ The numbers of letters for this pattern exceed the total of 32 letters because some politeness framings were directed at more than one party in a communicative situation, e.g. addressee and third-party.

treaty: *I must | most hartly craue youre ~~per~~ pardon [...]* (BL Add MS 23240, f.41). The locution of his apology is more embellished than apologies in the *Breadalbane* sub-corpus. The expression *craue your pardon* modified by the Adverb Phrase *most hartly* implies a more submissive attitude than, for instance, Grey Colin's simple apologetic request addressed to his chief: *I pray 3our lordship to apardone me* (MS NRS GD112/39/12/13).

In a second self-denigrating move, James defended his request for Elizabeth's signature on his *instrument* (Bruce, 1849: 32). The term refers to the financial support promised by the English queen, which James wanted to have confirmed as a written contract (Mueller, 2000: 1067). Elizabeth took James's request as a sign of mistrust and as an insult to her royal honour (see Bruce, 1849: 30-31). When James again asked Elizabeth to sign his *instrument*, he tried to repair the face₁-damage by resorting to self-defence and flattery (example (9)):

- (9) [...] as for the instrument quhairunto I desyre youre seale to be affixit, think not I pray you that I desire it for *any* mistrust, for I protest before god that youre simple promise uolde be more then sufficient to me if it uaire not that I uoulde haue the quhole uorlde to understand hou it pleacith you to honoure me aboue my demeritis quhich fauoure & ~~many folde~~ \innumerable/ otheris if my ~~goode~~ euill happ uill not permitt by action to acquyte yett shall I contend by goode meaning to conteruayle the same at hir handis quhome \comitting to the almichties protection/ I pray euer to esteeme me |

hir most beholden & louing
freind & cousin

'as for the instrument, for which I desire your seal to be affixed, do not think, I pray you, that I desire it for any mistrust, as I protest before God that your simple promise would be more than sufficient to me, if it were not that I would have the whole world to understand how it pleases you to honour me above my demerits, which favour and innumerable others, if my evil lot will not permit me to acquit by action, yet shall I contend by good meaning to reciprocate the same at her hands, whom, committing to the Almighty's protection, I pray ever to esteem me,
her most obliged and loving friend and cousin'

(BL Add MS 23240, f.41)

James boosts the queen's face₁ by his purported intention to make her generosity evident to the whole world. At the same time, he presents himself as one who knows that he stands in immeasurable debt to her, a point which he stresses even more in his revised draft. His shift to third-person address in the closing stands out from his usual selection of the second-person *your*. Additionally, the sense of personal obligation for favours expressed by the Adjective Phrase *most beholden* is rare in James's subscriptions to Elizabeth. Apart

from one other letter in the Camden Society edition, his modifiers convey affection and trust, which are reciprocated by Elizabeth (see Bruce, 1849: 154). His stylistic choices in example (9) imply a higher degree of distance and deference. The strategies parallel linguistic features of “humiliative discourse” in 18th-century client-patron correspondence (Fitzmaurice, 2002a: 141-142, 2002b: 239, 258, 2002c: 257). The contexts are somewhat similar as James also depended on Elizabeth’s favour and financial support (Juhala, 2000: 47). Moreover, James’s exaggerated expression of gratitude is an example of early modern “ritual(ised) submission display” (Bax, 2011: 272). According to Bax (2011: 273), “deferential overstatement” was part of early modern politic behaviour,⁷⁸ which “cannot be taken as sincerely giving deference”. It was aimed at the preservation of self-face₁, while the elevation of the other boils down to “make-believe” (Bax, 2011: 274).

James used the epistolary rituals of his time skilfully to veil his intention behind his request for Elizabeth’s signature. In his closing sentence, he boosts his social-network face₁ by presenting himself as the queen’s most subservient friend and kinsman. His claim to strong functional and emotional ties is developed through a seamless transition from the last sentence to the subscription. The subscription is spatially detached from the body of his letter, but syntactically integrated as the last phrase of the final sentence (example (9) above).⁷⁹ James’s self-reference *cousin* was a social-network claim based on his actual relations with Elizabeth, as she was his first cousin twice removed (Allinson, 2007: 8). However, it also served his major interactional goal, which underpins his correspondence with Elizabeth, and this letter in particular: the succession to the English throne (Akrigg, 1984: 8-10; Allinson, 2007: 9). By introducing his subscription with the request *I pray euer to esteeme me*, James exploited otherwise formulaic expressions of kinship and friendship for strategic purposes. The Scottish king not only conveyed how he saw himself but also implied that Elizabeth should share this view. His self-presentation as the queen’s most apt successor was simultaneously performed in front of her councillors – and also his potential future councillors – as the letter was most probably read out in their presence (see Daybell, 2012: 24).

Concerning the use of politeness framings towards upper-rank inferiors, James’s reproofs in his letters to Maitland suggest an attitude of keeping aloof in contrast to Argyll’s collaborative stance towards Grey Colin. The difference can be illustrated by contrasting two

⁷⁸ For a definition of *politic behaviour*, see Chapter 2.

⁷⁹ See Smith (2013: 32) for a similarly “cunning incorporation of the formal salutation at the end into the closing sentence” in 18th-century Scottish correspondence.

letters of reprimand of James and Argyll. In 1591, James availed himself of his rights as a monarch to revoke the grants made to Scottish nobles in his and Mary's minorities (Lee, 1959: 5, 233). Maitland "reasoned that such revocations seldom had any practical effects, and that the only result would be to make him more hated than he was already" (Lee, 1959: 233). James wrote a letter to Maitland, in which he argued against the chancellor's concerns and put him in his place (example (10)):

- (10) Chancellaire I meruell that sa uyse á man & aulde á counselloure ~~á counselloure~~ as ye are souldre haue done sa unuyse á turne as to haue founde fault uith the gene=
rallitie of my reuocation [...]
I haue offendit the haill
cuntrey I graunt for prodigall geuing fra me but quhen I take to me
nane can be offendit but the particulaire person, but of all men it sett
least the counsall or chekker to haue found fault uith this turne for by
this uaye the uulgaire opinion conceauit of thaim thir manie yeiris that
thay uaire bettir freindis to my person nor my purse uill not onlie
be confirmid but hauldin nou as confessid, it is ill to be callid á theif
& syne found stealling [...]
as for youre auin pai\rt/
keep youre self fra ueill daunsit & ueill playde, youre felicitie uarldlie
man depend onlie upon ane & consist onlie by & in him, this farr I uritt
onlie to youre self for that goodeuill ye knau I beare you [...]
[...] gif I haue bene **shairpe** blaime the **shairpness** of the humoure that
hes trublid my heade & bredd sic impatience:
(BL Add MS 23241, f.40, emphasis mine)

The actual offence to the whole nation, so James claimed, took place when the lavish grants were made in his name. The revocation would only offend those who were affected by it. James further argued that the Privy Council and the Exchequer would certainly not disapprove of his revocation. These government bodies had apparently been accused by the common people of being *bettir freindis* to James than to his *purse*, possibly implying that they wrecked the state by granting the king too much money.

In the *Breadalbane* case, Argyll mediated a complaint of one of his inferior kinsmen and Grey Colin's tenants, John MacAllister VicLachlan (see MS NRS GD112/39/6/8). MacAllister had accused Grey Colin of violating norms of lordship. Both Argyll and James evaluated their own letters as potentially offensive. James's metapragmatic comment is cited above (example (10)); Argyll's self-reported impoliteness is as follows: *The occasioun that I writt sa **scharpe** to 3ow | is becaus he schawis to me that 3e vse him mair extremilie | nor I beleif 3e do* 'The occasion that I write so harshly to you is because he [i.e. John MacAllister] shows to me that you treat him more severely than I believe you do' (MS NRS GD112/39/6/8, emphasis mine). Neither Argyll nor James apologised for their

anticipated offences. Argyll's declarative sentence suggests that he acknowledged the face₁-threatening potential. By contrast, James's conditional shows awareness of potential impoliteness, but shifts the perception to the addressee as if he wanted to debate the force of his criticism. Moreover, the writers' justifications of their anticipated offences reveal different understandings of responsibility. Argyll emphasised his chiefly duty of protecting MacAllister, in accordance with expectations of kinship, and the inferior's rights to good lordship based on loyalty shown to Grey Colin (see MS NRS GD112/39/6/8). The chief's justifications suggest that he did not intend to give offence, but anticipated it as an unavoidable side-effect of fulfilling his social role in settling an internal clan conflict. James told Maitland to *blame* his poor health resulting from *incessant laboure* and *the resid\ence/ in ill ayred | edinbrouch this tyme of yeire* (BL Add MS 23241, f.40). As James foregrounded influences beyond his control, he seems to argue that he cannot be held accountable for his harsh words.

A comparison of politeness framings in the two letters reveals different notions of interdependence in asymmetrical relationships. Both writers use the expression *I marvel* as a weakening hedge, supposedly to downplay their exasperation over the addressee's alleged breach of social obligations.⁸⁰ James's *I meruell* frames a claim to the king's prerogative not to be questioned by his subjects (see Section 6.5.2). There is a verbal formula mismatch between James's politeness framings and his criticism of Maitland's lack of wisdom (example (10) above). The mismatch is reinforced by the lexical contrast *wise/unwise*. James began his letter by giving his addressee social-identity face₁ as a judicious counselor. Immediately, he cancelled the implicature and instead used his purported face₁-enhancement to aggravate Maitland's alleged transgression. Argyll's *I merwell* frames his intervention on behalf of MacAllister to remind Grey Colin, as one of his cadet-heads, of his obligations of lordship (see MS NRS GD112/39/6/8). Whereas James's *I meruell* precedes a defence of his own social rights, Argyll's *I merwell* occurs in the context of mediating the rights of a related third-party inferior.

Moreover, Argyll moderated the anticipated threat on Grey Colin's social-role face₁ by communicating a collaborative stance through conventionalised association and repeated affirmations of trust. Argyll's subscription, i.e. *your hartly freind* 'your beloved friend', differs from his commonly used *Yours* to Grey Colin, although the formulaic emphasis on in-group status is not unique for his letters (MS NRS GD112/39/6/8). As noted in Section

⁸⁰ See Section 5.3.1 for a discussion of the expression *I marvel* as a politeness framing.

5.3.1, affirmations of trust, such as *nor I beleif ze do*, were read as surface politeness (MS NRS GD112/39/6/8). It is revealing that Argyll evaluated his writing as *sharp* despite his politeness framings. Grey Colin did not take similar affirmations of trust at face value in other letters (e.g. MS NRS GD112/39/2/20 and 2/21, see Section 5.3.4). Still, it is noteworthy that the chief employed politeness framings to convey an attitude of reliance, as if to acknowledge that he needed Grey Colin to run his earldom (see Dawson, 1997: 38).

By comparison, James's comment on his harsh tone is not mitigated by affirmations of trust or conventionalised expressions of association. James shows a favourable disposition towards his addressee by expressing his *goodeuill*; however, the dependence in their asymmetrical relationship is assumed only in one direction, namely upward. Additionally, James's subscription immediately follows his last instruction to Maitland: *fairueill for I ame | uerie of uritting* (BL Add MS 23241, f.40). Thus, he ended his letter abruptly, disregarding conventionalised closing transitions such as blessings. Although the Scottish king also depended on loyal servants to rule his kingdom, he appears to construct a position of standing aloof from his subjects, including his chancellor (see Cathcart, 2006: 52-53).

In letters to Elizabeth, James did use affirmations of trust; in fact, he employed them with similar forms and functions as the *Breadalbane* correspondents. His affirmations of trust in conflict-letters concerning Elizabeth's covert support of his enemy Bothwell (example (1) above) follow the same syntactic pattern. Epistemic verb phrases, such as *I trust* or *I doubt not*, precede assertive speech-acts presuming Elizabeth's readiness to fulfil her social obligations as James's ally (MS CP 133/125). Furthermore, in the letter from the 5th June 1594, James negotiated the meaning of an affirmation of trust in his earlier letter to Elizabeth. Both passages are cited below, in chronological order (examples (11) and (12)):

- (11) I trust ye uill not putt me in ballance
uith suche á traitrouse counterpois, nor uillfullie reiect me, constraining me to
saye uith uirgill flectere si nequeo superos acheronta mouebo,⁸¹ & to giue you á
prooffe of the continuance of my honest affection [...]
(MS CP 133/123)
- (12) on the other pairt quhaire
this uerse is sett doune in my lettir I saye not that I ame of mynde so to do but
by the contraire I saye I trust ye uill not constraine me so to doe & the uerie next
uordis I subioine are & to geue you á prooffe of my honest affection &ce. thus
Madame my intention uas to complaine unto you, not to threattin you, thairby
seeking youre ayde & nather seeking nor leaning to the ayde of others [...]
(MS CP 133/125)

⁸¹ "If I cannot prevail upon the gods, I will stir up hell": *Aeneid* 8.312 (Akrigg, 1984: 130).

The two letters were written at the point of a serious conflict between Elizabeth and James (Akrigg, 1984: 127; Doran, 2005: 214). The English queen interpreted James's Virgilian quote as an implied threat to her (see Section 5.2.1 for her reply). Like James, she knew the classics very well, and read the cited line from *Aeneid* as an innuendo to his intentions of establishing alliances with England's enemies to attack her kingdom. She thus perceived a verbal formula mismatch between James's affirmation of trust in her as a loyal ally and the implicature of intimidation.

In his response, James tried to cancel Elizabeth's offensive uptake by debating his intention. In a quasi-pragmatic analysis of his previous letter, he pointed out that the politeness strategies framing the cited line from *Aeneid* were crucial to inferring the intended meaning behind his Virgilian quote. Moreover, he claimed literal meanings for his affirmations of trust and affection to reduce the perceived gravity of offence on Elizabeth's part. Additionally, he elaborated on the context of his Virgilian quote and the analogy to his situation, thereby asserting that his goal was to put an end to Bothwell's rebellious actions, not to attack England (MS CP 133/125). What James presented as accidental impoliteness was presumably more intentional.⁸² Elizabeth had offended James by her secret dealings with Bothwell, and also by calling him a "seduced king" in the letter that preceded James's implied threat (Doran, 2005: 213). The "(im)politeness threshold" was thus prepared to encourage retaliation (Culpeper, 2011a: 204).⁸³ Despite James's protestations that he did not resume contact with England's enemies, he had, in fact, begun renewing the auld alliance with France (Doran, 2005: 214). Contextual information of this case suggests that James acted with "*strategic ambivalence*" (Archer, 2011a: 3217, original emphasis). The concept is proposed by Archer (2011a) as a new zone between Goffman's (1967) incidental and intentional face-aggravating behaviour. Behaviour which is strategically ambivalent is characterised by multiple pragmatic functions blending into each other. James's implied threat was probably motivated by the transactional goal of establishing the security of his kingdom, but probably also by rapport-challenging goals of paying Elizabeth back for her insult and betrayal. Elizabeth's reaction to his Virgilian quote might have made James realise that he had gone too far. He had to prevent an escalation of the conflict if he did not want to risk his chances of succeeding her to the English throne. An implied threat was too provocative, but he could get away with a complaint. Elizabeth's interpretation of his letter as a threat and the evidence of the *Breadalbane* letters (Section 5.3.2) undermine James's

⁸² The concepts of accidental and intentional impoliteness are defined in Section 2.3.2.

⁸³ For a definition of Culpeper's (2011a: 204) "(im)politeness threshold", see Chapter 2.

argument. If affirmations of trust were used as politeness strategies, they must have been conventionalised to a degree that they were no longer perceived as neutralising implied threats.

5.4. Conclusion

The comparison of the language of offence-reports in the *Breadalbane* and James VI sub-corpora revealed differences as well as parallels. Contemporary values such as kinship, loyalty and lordship had a decisive impact on *Breadalbane* correspondents' perceptions of social conduct. Living up to these socially-defined rights and obligations was a matter of honour, and a sensitive part of face₁. James's demonstration of his knowledge of ancient Roman and Greek literature might have been part of his understanding of *civility*. His education and his relationship with the English queen presumably had an important influence on his stylistic choices. However, he had several expressions related to face₁, social rights and negative evaluations of linguistic behaviour in common with his northern upper-rank subjects. Shared keywords might have been employed by James in similar ways or he used them to express different meanings.

Politeness framings were an important pragmatic feature to moderate reported offences in the *Breadalbane* letters. Motivations behind the various framing devices ranged from apparently sincere mitigation of other-face₁ or repair of a breach of social rights to apparent lip-service to politeness. Correspondents' use of politeness framings in different communicative situations suggests that perspectives of who was involved in a conflict could go beyond the alleged offender and the offended party and include superior representatives or intermediaries. Thus, politeness framings reveal something of the complexity of epistolary communication in 16th-century Scotland, which will be further examined in the next chapter.

The analysis of James's politeness framings reveals differences to the *Breadalbane* sub-corpus as well as analogies. When writing to superiors, *Breadalbane* correspondents did not perform embellished self-denigration and addressee-elevation. Their acknowledgement of the addressee's higher status was expressed through discernment politeness, i.e. the selection of socially-appropriate honorific address and person-reference terms. Furthermore, their use of more strategic politeness, such as apologetic requests, lacks the overstatements observed in James's letters to Elizabeth. With respect to politeness framings towards social

inferiors, James's epistolary language constructs an independent higher position for himself. By comparison, Argyll's politeness framings towards Grey Colin imply awareness of "co-dependence" in clan societies and lordship (Cathcart, 2006: 216). Co-dependence for James existed in his relationship with Elizabeth (see Doran, 2005). It is in letters to her that James employed collaboration-oriented politeness framings similar to those in the *Breadalbane* sub-corpus as strategies of appeasement in conflict-situations.

I would argue that the basic pragmatic function of politeness framings was to avoid serious rapport-damage when reporting or repairing an offence, not only towards the alleged offenders and offended parties, but also to other members of their groups. Maintaining good relations within clans and networks was a socio-economic necessity (Cathcart, 2006: 98-99, 213-216). Often, offence-reports could not be communicated in the most candid way but had to be toned down to keep friends as friends and not turn them into enemies.

6

Letters in conflicts between private and public

6.1. Introduction

The framework outlined in Chapters 3-4 is now employed to describe various private and public aspects of conflict-letters. How were reported offences shared and negotiated within the letter-writing networks of Clan Campbell and James? What evidence can we find in conflict-letters for the influence of private-public dimensions of conflict-situations on perceptions of offence? How did the conflicts discussed in their correspondence affect individual letter-writers?

The sections below address these questions in turn. In Sections 6.2-3, examples are selected to illustrate dimensions of accessibility, conflict-scope, and conflict-negotiation in the *Breadalbane* and James VI sub-corpora. Because of the restricted privacy of early modern letter-writing (see Chapter 4), it is most likely that the reporting of verbal offences in the investigated conflict-letters was never fully private. Section 6.4 analyses how first-order notions of private and public shaped correspondents' negative evaluations of behaviour. Subsequently, conflict-scope in letters of Clan Campbell and the Scottish king is more closely examined with respect to individual and collective dimensions of face₁ and social rights/obligations. Each of these parts first discusses examples from the *Breadalbane* letters, followed by evidence from James's correspondence. The last section contains a summary of the main observations and conclusions.

6.2. Between gossip and national wars

We might begin with the potentially closest circle of letter access in the BreadC. The “‘gossip’ letters”, i.e. eight anonymous letters supposedly exchanged between Grey Colin and his clansman and distant cousin, John Campbell of Carrick, provide an exceptional glimpse into a “close personal friendship” (Dawson, 1997: 4-5, 18). *Gossip*, used as a term of address and self-reference (e.g. MS NRS GD112/39/6/2 and 5/23), was derived from the English word *godsib*, i.e. godparent, but was extended to refer to “any close friend” (Dawson, 1997: 18).⁸⁴ Superscriptions in the gossip letters are absent or anonymous, e.g. *To my*

⁸⁴ See also the OED entry for “gossip, *n.*” (Second Edition, accessed 20 December 2014).

gossip gyf yis ‘To my gossip give this’ (MS NRS GD112/39/5/23), suggesting that they were delivered by trusted messengers and shared among closest family-members only. In one of those letters, Grey Colin tells his gossip about a false charge that was made against him. William Murray, 11th laird of Tullibardine, Drummond and Atholl had accused Grey Colin of counselling and assisting Argyll in his attacks on their estates during the Chase-about Raid (see Dawson, 1997: 49-52). Grey Colin had to attend a hearing in front of the queen and the Privy Council where he was declared innocent of all charges (example (1)):

- (1) ye quenis maiesteis answer wes yat thay
 bragit or my cummyng affor hir maieste, and gif [ye compleneris] had na
 thing to say yat hir maieste had nathing to lay to my charge bot to
 be ane gwd serwand and hir swbiect in tymes [cummyng quhilk I promis-]
 sed to hir maieste at my departing [...]
 ‘The Queen Majesty’s answer was that they bragged before my coming before Her Majesty, and if the complainers had nothing to say that Her Majesty had nothing to lay to my charge but to be a good servant and her subject in times coming, which I promised to Her Majesty at my departing.’
 (MS NRS GD112/39/6/2)

Grey Colin’s lexical choice *bragit* conveys his negative evaluation of his opponents’ behaviour. The degree of public face₁-exposure tied to the accusation was potentially high because of the institutional context of conflict-settlement (see Culpeper, 2011a: 202-203). Grey Colin had to answer the charge in an official trial. His reference term for the Privy Council (*ye secreit cunsall*) implies that proceedings were not openly accessible. Still, access to the setting of conflict-settlement was more public than Grey Colin’s sharing of his private thoughts with his gossip. Moreover, conflict-scope was relatively wide as the dispute affected relationships between representatives of different kin-groups and the queen.

Another example of the divergence between letter access and conflict-scope is Grandtully’s report about a conflict between Lennox and Atholl. Lennox was offended by Atholl’s failure to keep their agreement concerning the settlement of the MacGregor feud: *he | ves offendit yat my lord of atholl kepit nocht tryist and said gif my lord | of atholl vald do his dwetye he suld schoyne put ordor to ye clangregour* ‘He was offended that my Lord of Atholl had not kept the agreement and said if my Lord of Atholl would do his duty he should soon put order to the Clan Gregor’ (MS NRS GD112/39/8/11). The feud between Grey Colin and the Clan Gregor had developed into a cross-territorial concern (Dawson, 1997: 58). The increased conflict-scope is shown by the involvement of Atholl as lieutenant of the north and Lennox as Lord Regent. In contrast to the large number of people affected by this conflict, access to Grandtully’s letter was limited to the potentially closest

circle. Grey Colin and Grandtully lived in neighbouring areas and cooperated as kinsmen in the same cross-territorial network around Atholl (Dawson, 1997: 36, 271, 273). Grandtully asked his recipient not to mention a certain aspect mentioned in his letter when writing to Atholl. It concerned a copy of Atholl's letter which Grandtully forwarded to Grey Colin without his superior's knowledge (*I send yat to 3ow bot of my slef* 'I send that to you but of myself', MS NRS GD112/39/8/11). The comment does not relate to the offence perceived by Lennox, but it enhances our knowledge of Grandtully's degree of autonomy in dealing with Atholl's correspondence. It further suggests that letters were not shared with everyone belonging to an inner circle. Atholl apparently had no access to Grandtully's letter, otherwise Grandtully's request would have been pointless.

Similarly, letters dealing with internal clan conflicts would not be circulated across the whole clan. When Grey Colin was reprimanded by Argyll for making an unjustified complaint to him about not keeping his promises of support, no other correspondents seem to have been involved in the exchange of letters between them apart from a trusted messenger, who is credited with delivering oral messages (MS NRS GD112/39/9/29). As regards the scope of their conflict, Argyll's promise went beyond the intra-core level. It entailed contractual collective obligations from chief to cadet-head since Argyll had to mobilise his followers to protect everyone living on Grey Colin's territories (see Cathcart, 2006: 89).

If internal clan problems could not be settled between conflict-parties, the role of mediators became important. When Grey Colin's tenants, the MacDouglers, felt intimidated by Grey Colin, they turned to the chief for help (see MS NRS GD112/39/2/20). John Campbell of Skipnish's letter to Grey Colin reveals that at least one other core member of the clan had access to Argyll's and Grey Colin's letters, while the MacDouglers were probably excluded from the letter exchange (see MS NRS GD112/39/6/31). Argyll intervened as an involved mediator. In his exhortation of Grey Colin, the chief acted as lordship on behalf of the MacDouglers, who were under his protection, and as representative of the whole clan.

Fascinating texts relating to an intergroup conflict are the intimidating letters by Atholl and Argyll to secure the cooperation of others in the pursuit of the Clan Gregor (see example (8) in Chapter 5). Atholl first sent out letters to Drummond and his men (see MS GD112/39/8/7a, 8/7b and 8/8). As lieutenant of the North and kinsman to Grey Colin, Atholl had to assist the Campbells in settling the escalated feud between Grey Colin and

the MacGregors (ODNB). The restoration of law and order was also in his own interests because his own lands had become a target of the Clan Gregor raids. Atholl's goal was to intimidate Drummond to make him comply with their actions against the rebel clan. Grandtully advised Grey Colin to have Argyll send a similar letter to Drummond (example (2)):

- (2) My *lord* of atholl hes writyn to
 stratherryn as 3e may persaiiff be yir copeis *quhilkis* 3e sal resaiff and keip And
 gif 3e *thocht* it guid to caus my *lord* of ardgylle writ to yame [illegible] [in lakit]
 maner or mair scharp / it culd do nay hurt and I beleff yai sal tak
 order to hald yame out of *yat* cuntray [...]
 'My Lord of Atholl has written to Strathearn [i.e. Drummond] as you may perceive by the
 copies which you shall receive and keep. And if you thought it good to cause my Lord of
 Argyll to write to them [illegible] in a vituperating manner or more harsh, it could do no
 harm, and I believe they shall take order and hold them out of that country'
 (MS NRS GD112/39/8/9)

As in example (4) in Chapter 5, *sharp* is used to evaluate the harsh tone of a letter. In this case, Grandtully views the force of Atholl's writing to Drummond and other Strathearn men as an effective means of intimidation to ensure that they would not reset, i.e. offer shelter to the MacGregors. Grandtully attaches copies of those letters to his own letter to Grey Colin and promotes them as suitable templates for Argyll's letter. Grey Colin and Argyll appear to have taken this advice literally since Argyll's letter to Drummond is remarkably similar to Atholl's in its structure and wordings (see MS NRS GD112/39/8/7a and 8/5).

Letter access in this intergroup conflict was presumably granted to representatives of the different groups involved, yet information could potentially become more widely known. The conflict around the MacGregor feud affected several groups in different areas. As suggested by the circulation of letters, Drummond's face₁ was exposed to principal members of Atholl's and Argyll's kin-groups, at least to Grandtully and Grey Colin.

Finally, letter access in conflicts of national scope could be potentially limited to a few inner-circle correspondents. The anticipated linguistic impoliteness of Murray's criticism in example (6) in Chapter 5 was communicated in a more non-public context of letter-writing against the backdrop of the Scottish civil wars. Apart from the messenger and the two intended recipients, i.e. Katherine and her husband, not many people would have had access to Murray's letter. Moreover, the adjective *hamelie* used by Murray to describe the style of his letter has connotations of bluntness but also of intimacy (DOST).

6.3. Conflicts from the royal bedchamber to diplomacy

Simpson (2000: 143) notes that James's letters "can range from those intended to be strictly private to those apparently private but actually meant for wider consumption." Unfortunately, the meaning of "strictly private" is not further explained. If it means that apart from the messenger only the two correspondents had access to the letter, none of the letters in the James VI sub-corpus falls into that category.⁸⁵ Regarding accessibility, the letters in question can be categorised as internal court letters and diplomatic letters. The internal court letters were plausibly intended for being shared with other members at court or more widely circulated. In his 1591 letter to Maitland, James gave the chancellor explicit guidelines for information-sharing. After venting his anger at Maitland for criticising his revocations (example (10) in Chapter 5), James added that the first part of his letter should be for the chancellor's perusal only. The second part of the letter, in which James gave Maitland instructions for various state and household matters, was to be shared with other government officials: *this farr I reccomend to youre auin onlie reiding, the rest | following ye may communicat it to the counsall or sicc as it apparteinis | unto* (BL Add MS 23241, f.40). James's advice to keep his rebuke within the potentially closest circle conveys an intention to keep the degree of potential face₁-exposure for the chancellor rather low. The fact that James actually gave these instructions indicates that this kind of non-public interaction through letters was not taken for granted. James's letter to Carr does not contain any advice for (not) sharing its contents. As great chamberlain, Carr had the keys to the king's bedchamber, which gave him unrestricted access to the king's most non-public sphere as well as the control to restrict access to that sphere for others (Juhala, 2000: 11). Although accessibility was limited, there were over twenty persons regularly serving the king in his bedchamber (see Cuddy, 1987). Thus, letters from James to recipients who held offices in the bedchamber still had a number of potential overhearers/-readers or eavesdroppers. James's letter to Carr survives as a copy in a secretary hand, not in James's italic hand. The palaeographic evidence suggests that the letter was circulated, at least within the royal household.

Letters between James and Elizabeth pertained to diplomatic affairs of their countries. Diplomatic correspondence has "multiple communicative purposes" and can be used to negotiate personal matters; however, its "primary function" is to maintain relations between

⁸⁵ This study has not considered the correspondence between James and Robert Cecil and other English courtiers that served to make secret arrangements for his succession after Elizabeth's death. The letters would score low on the accessibility scale because non-intended readers would not have been privy to the coding-system (Akrigg, 1984: 9-10, Bruce, 1861, Daybell, 2012).

countries (Fitzmaurice, 2006: 96, 98). Royal letters were sent through royal ambassadors and shared with royal advisors (Allinson, 2007: 23, Brownlees, 2010: 194). Moreover, the councillors shaped the message through their advice, as can be inferred from Elizabeth's angry rebuke of James for asking her to confirm her promise of financial support with her signature (see example (9) in Chapter 5): *teache your new rawe Counselars bettar | manner* (BL Add MS 23240, f.39v). In the second of his 1594 letters, James claimed that the content of his last letter had only been sent to her: *quhat I urote of you I | urote onlie to you* (MS CP 133/125). The letter in question contained his implied threat (see example (11) in Chapter 5). It also offended Elizabeth because he returned her previous insult, calling her *á seducit quene* (MS CP 133/123; see Bruce, 1849: 103-105). James's claim of restricted accessibility has to be taken with a pinch of salt. He had written a letter to Robert Devereux, second earl of Essex, on the same day, warning him about the queen's deception in the Bothwell affair (Akrigg, 1984: 130-131). Additionally, James had begun to renew contact with England's enemy France (Doran, 2005: 214). Thus, the Scottish king was not as confidential about his opinion of Elizabeth as his words suggested.

Conflict-scope in the James VI sub-corpus varies from Carr's tirades in the king's bed-chamber to national conflicts discussed with his Secretary, and further expanding to international disputes with the English queen. The tensions between the king and his male favourite Carr represent the most limited conflict-scope between two participants in an intimate relationship. James's letters to Maitland give insight into more personal frictions between the king and his chief advisor which were intertwined with conflicts of a more national scope. In example (2) in Chapter 5, James was angry about Maitland's alleged neglect of duty, but even more so about the Kirk's opposition to his will. James did not specify the matter of dispute. If the dating of the letter is correct, he might refer to the Presbyterian protests against the Black Acts passed in May 1584 (Lee, 1959: 55-56). The effect of the Black Acts was a crucial change in church-state relations. They brought the Kirk, which had enjoyed independence since the Reformation, under the supremacy of the crown (Goodare, 2000: 37). Moreover, they included a Treason Act, which declared any speeches against the king and his relatives to be seditious (Wormald, 1991: 44). Whatever the precise issue behind James's earlier letter to Maitland, it somehow relates to the struggle over authority between him and the Presbyterians, which went beyond the passing of the Black Acts (see ODNB). It was a tug-of-war between a group and an individual acting in his non-private role (see Section 6.5 for further details).

6.4. First-order notions of private-public and understandings of offence

First-order notions of private and public could be crucial issues in epistolary offence-reports. On the one hand, the public disclosure of face₁-sensitive matters appears to have aggravated face₁-threats. *Breadalbane* correspondents expressed their concerns about face₁-threatening rumours with the lexeme *brute*, which in the context of the letters had the negative meaning of “bad report” (DOST). Occurrences of *brute* indicate that “rumours were taken seriously” because of their negative consequences for a higher-rank person’s “reputation” (Dawson, 1997: 13). In Argyll’s letter to Katherine Ruthven concerning the rumours about Grey Colin’s involvement in murder (see Section 5.2), *brute* is modified by the adjective *evil* as the chief repeated his well-meant intention of saving Grey Colin’s honour: *It was for his awin honour and weill and esc- | shewing of ewill bruit yat we wret to him* ‘it was for his own honour and well-being and the avoiding of evil rumours that we wrote to him [i.e. Grey Colin]’ (MS NRS GD112/39/3/27).

Interrelations between face₁-exposure and the vulnerability of face₁ also play a role in Drummond’s reply to Argyll’s intimidating letter (see example (8) in Chapter 5). Drummond countered Argyll’s threat by criticising the Campbell chief for neglecting his lordship duties. However, Drummond promised to keep his thoughts about Argyll’s failure to himself (example (3)):

- (3) *3it with 3our lordshipis ap pardon man remember 3ow and 3e wer mair circumspect to 3our dewitie toward 3our freindis & seruandis yair wald nocht be sa grite cummer in ye countrie as yair is. I will not expone this bot lat 3our lordship iudge yis as 3e think gude*
 ‘Yet with your Lordship’s pardon I must remind you if you were more circumspect to your duty toward your friends [i.e. kin/allies⁸⁶] and servants there would not be as much trouble in the country as there is. I will not make this known but let your Lordship judge this as you think good.’
 (MS NRS GD112/39/9/5)

The minimising of public face₁-exposure, at least on the surface, is the converse to Grey Colin’s threat to make the earl’s neglect of his responsibilities known to the world (example (7) in Chapter 5), which supposedly increased the perceived gravity of offence. Drummond’s promise not to disclose Argyll’s neglect of lordship in public can be read as a negotiation of power in response to Argyll’s threat. The presupposition of Drummond’s promise is that he possessed knowledge that was harmful to Argyll’s public self-image.

⁸⁶ See Section 4.5 for the meanings of *friend* in 16th-century Scotland.

With the two magnates, Argyll and Atholl, against him, and the “royal commissions of fire and sword” held by the Campbells, there was not much Drummond could do other than comply (Dawson, 1997: 57). It is interesting how he uses language to fight back and exploit the Scottish noble concern with public “reputation” (Dawson, 1997: 13).

On the other hand, behaviour could be evaluated negatively if performed in a non-public context. Argyll’s reprimanding letter concerning the MacDoulkers (Section 6.2) implies that Grey Colin was suspected of having threatened his vassals in a non-public context instead of submitting them to a more public trial overseen by the chief and other clansmen: *afor 3e | wald caus thair feillis to be tryitt In our presens quhilk beand Done and thair ewill deidis prowlin or **openly knawin** 3e sall hawe | my sichitt and 3our awin* ‘before you would cause their failures to be tried in our presence, which being done and their evil deeds proven or openly known you shall have my judgement and your own’ (MS NRS GD112/39/2/20, emphasis mine). Grey Colin’s pursuit of private retribution would have been against clan policies.⁸⁷

Furthermore, private aspects of conflict-situations could influence James’s evaluation of behaviour in different ways. When James described his struggles as to what he should believe regarding Elizabeth’s involvement in the English support of Bothwell, he emphasised that *priuitie* on Elizabeth’s part would go *farr against all princelie honoure* (MS CP 133/123, see Section 5.2.1). *Privity*, referring to Elizabeth’s secret instructions to support James’s enemy, has negative connotations in this context. It is evaluated as a breach of honour for Elizabeth, an assumed loss of social-role face₁ for betraying her ally. *Privity* – the alleged lack of transparency in the alliance between the two monarchs – is contrasted by *á rounde plainnés*, i.e. the openness which James defined as a requirement for long-standing friendships and which he claimed for himself (MS CP 133/123).

The *privacy* of James’s relationship with Carr set a specific frame for his judgement of his favourite’s verbal abuse (example (4) below). In the context of James’s letter, *privacy* has positive connotations and was presumably used to describe the intimacy between Carr and the monarch.⁸⁸

⁸⁷ See Dawson (1997: 13) and Campbell (2002: 56) for examples of how clans and kin-groups participated in the settling of conflicts.

⁸⁸ This obsolete meaning of “privacy, *n.*” is also recorded in the OED (Third Edition, accessed 20 December 2014).

- (4) [...] the greatnesse of
 that trust and priuacie betwix us / will verie well allowe unto you an infinitlie great
 libertie |
 and freedome of speeche unto me yea euen to rebuke me more sharpelie ~~then~~ and bitterlie
 then |
 euer my maister durst do. yet to inuent a new art of railing upone me / nay to borrowe the
 tounge |
 of the Deuill / in comparison quhairof all peachems⁸⁹ book is but a gentle admonition that
 can not |
 cume within the compasse of any libertie of freindshippe [...]
 (LPL MS 930, Item 90)

At the same time, it probably refers to Carr's unrestricted access to the king's bedchamber. The development of intimacy with the monarch was essentially dependent on the accessibility of his most non-public sphere. Notably, a non-public context for James was when a king was in the company of his servants. When he advised his son and heir on how a king had to adjust his behaviour according to the context, James stated that audiences with ambassadors required more formality, whereas a king could be *hamelie quhen ye are in priuate with youre awin seruauntis* 'informal when you are in private with your servants' (*Basilikon Doron*, 1944 [1598]: 181). The situations in which James used the terms *privacy* and *private* convey an interconnection between relational proximity and accessibility.

James apparently judged Carr's conduct on a different basis from any of his subjects. The intimacy with Carr superseded even the social-role power that his *master*, i.e. George Buchanan, the tutor of young James, held over him (see Akrigg, 1984: 340). The association of friendship with a wider range of socially acceptable behaviour is also found in a 16th-century letter-writing manual. Fulwood (1568: 12v) argues that friends excuse or assess behaviour positively that would otherwise be considered inappropriate. James evaluated Carr's *furious assaults* as having transgressed the wider limits of *freedome of speeche* granted to his favourite (LPL MS 930, Item 90). The metaphor used for Carr's tirades, *the tounge of the Deuill*, implies that the gravity of offence as perceived by the king had reached the utmost extremity.

James's letter suggests that Carr violated privacy in a double sense. On the one hand, Carr's verbal abuse was a breach of rights of respect determined by their intimate friendship. On the other hand, the king must have felt his rights to non-imposition to be at stake since he repeatedly complained about Carr's disturbance of his night-time rest (e.g. *your own furious assaults of me at unseasonable howris*, LPL MS 930, Item 90). Carr's unlim-

⁸⁹ The name refers to Rev. Edmond Peacham, who was discovered to have libellous papers with him in December 1604 (Akrigg, 1984: 340).

ited privacy with the king had relational and spatial components, and his misuse of these privileges played a crucial role in James's perceptions of impoliteness.

The consequences of the conflict between Carr and James shifted towards a more non-private dimension. James demanded public amends – *some exteriour signes* – for Carr's offence because the night-time railings in the king's bedchamber had been overheard by many others (LPL MS 930, Item 90). Moreover, James implied that Carr's offence in the non-public sphere of the bedchamber would eventually lead to far-reaching disaster. The king complained that his grief over Carr's abusive conduct might lead to his death. Deterioration in James's health would not only endanger his life but also the welfare of his kingdom and the continued existence of the Protestant religion *through all Christendome*, which James saw as lying on his shoulders (LPL MS 930, Item 90). What James appears to exploit here is the early modern concept of the king's two bodies (Kantorowicz, 1957: 7, 9). The argument should probably increase Carr's awareness of the scope of his offence. As suggested by James, Carr's verbal attacks on the king as an individual "was, at the same time, an attack against the body corporate of the realm" (Kantorowicz, 1957: 15).

6.5. Individual and collective dimensions of conflicts

In this section, some of the abovementioned examples are further discussed regarding individual and collective dimensions of face₁ and social rights/obligations. Subsequently, strategies of association and dissociation⁹⁰ are examined as linguistic evidence of correspondents' presentation of themselves as individuals or group-members in conflict-situations.

As regards evidence in the BreadC, Argyll's mediation was probably crucial in the case of the MacDouglers' complaint against Grey Colin because the conflict affected the face₁ of various parties. Patrick MacDouglker's report threatened Grey Colin's social-role face₁ as an individual member of a hierarchical group, because it accused him of a breach of downward and upward social obligations. Towards his vassals, Grey Colin had allegedly violated good lordship. Towards his chief, Grey Colin had neglected to submit his tenants to Argyll's jurisdiction. Moreover, the offence-report affected the collective social-role face₁ of his chief, who was accountable for Grey Colin's behaviour and who had contractual obligations of protection towards the offended party. The face₁-threat is acknowledged

⁹⁰ For definitions of association and dissociation, see Chapter 3.

by Argyll, who warns Grey Colin that any mistreatment of the MacDouglers *will nicht stand with our honour* (MS NRS GD112/39/2/20). Argyll's *honour* modified by the plural possessive determiner might indicate that he mediated his face₁ as chief as well as the group-face₁ of the whole clan, which was put at risk by the actions of one of their individual members. As shown by his letters, Argyll could choose between singular and plural self-reference; hence, his selection of the forms was pragmatically meaningful.⁹¹ Possibly, the chief intervened in the conflict between Grey Colin and his tenants not only to ensure justice for the MacDouglers but also to keep public face₁-exposure for him and his group as low as possible.

By comparison, face₁ tended to be much more exposed in intergroup conflicts because letters were circulated across territorial boundaries and non-kin relations. Drummond's reply to Argyll's intimidating letter conveys a perceived attack on social-role and social-network aspects of relational face₁ (see Section 5.3.2). As head over Strathearn, Drummond's social-role face₁ had a collective dimension because he was held accountable for the actions of everyone living on his estates. As regards social-network face₁, Drummond defended the position of himself and his group in the feud between the Campbells and the Clan Gregor.

Grey Colin's proposition that Argyll should sell the superiority of Glen Orchy to him affected the individual and collective social-identity face₁ of the chief and his family (example (5) in Chapter 5). The references to his *foirbearis*, who acquired and preserved their communal territories, imply that Argyll perceived the proposition as an insult to the collective honour of his chiefly line: *my foir bearis gait it nicht so lychtly* 'my ancestors did not get it so easily' (MS NRS GD112/39/2/22). As a descendant of his line, Argyll identifies himself with the honour of his ancestors by stressing his worthiness of keeping the inherited lands: *I thynk me worthy of ye samin* 'I consider me worthy of the same' (MS NRS GD112/39/2/22). His individual face₁ seems to be encoded by the first-person singular pronoun.

⁹¹ It went beyond the remit of this study to investigate the influence of Argyll's use of amanuenses for administrative purposes on first-person pronoun usage in his letters. James's correspondence shows a correlation of *I* and royal *we* with the holograph/scrival distinction. Letters written by amanuenses and signed by James display a consistent use of the first-person plural. In letters written in his own hand, James only used the singular, even when he discussed matters of his royal office (Evans, 2013: 154). My preliminary analysis of a few of Argyll's letters suggests that the earl's patterns of pronoun usage were more complex.

James's lexical choices to refer to the Presbyterian protests imply a perceived violation of his royal rights to respect and authority, e.g. *thaire contemptuouse rebellion* (BL Add MS 23241, f.5, see example (2) in Chapter 5). Moreover, the correction in the letter opening reinforces James's presentation of the Kirk as a seditious group. He replaced a more neutral expression, *decreitit*, with *minted at* 'ventured at', a word with negative connotations of having intentions to challenge or threaten (DOST). The social rights underpin the perceived attack on James's social-identity face₁ as a secondary effect. James defined kings as *publike persons, by reason of their office and authoritie* (*Basilikon Doron*, 1944 [1603]: 12). As non-private persons, kings had to put *the commoune interesse* 'the common interest' of their subjects over their *priuete affections* (*Basilikon Doron*, 1944 [1598]: 55). In return, kings could expect obedience from their subjects in everything as long as it was within the will of God (Sommerville, 1994: xvii). James's individual social-identity face₁ was at risk because the Kirk disputed a prerogative which the Scottish king assumed to share with all absolute monarchs in his time, namely the indisputable sovereignty over the collective body of his subjects.

When James wrote to Elizabeth, he acted in his social role as the main representative of his nation. The interpersonal relationship between the two monarchs established through their letters included the relationship between their courts and countries by means of their social roles (Allinson, 2007: 24). For instance, the implied threat to Elizabeth had a supposedly high gravity of offence with potentially far-reaching consequences for both kingdoms. The collective components of the threat are reflected in James's defence that he had not undertaken any conspiratorial actions *to the praeiudice of you* [i.e. Elizabeth] *or youre state, or the state of | religion* (MS CP 133/125). Because of the diplomatic function of their communication, even more personal issues, such as a delay in letter-writing, had a latent intergroup dimension (see Allinson, 2007: 7).

While offence-reports in the *Breadalbane* and James VI sub-corpora reveal varying dimensions of individual- and collective-based aspects of social-identity face₁ and relational face₁, quality-face₁ seems to have played a marginal role as a constituent of reported verbal offences. In *Breadalbane* letters, it was only attested in connection to non-imposition politeness formulae framing offence-reports (Section 5.3). If quality-face₁ was a concern for the Scottish king, it was embedded in more collective aspects of his self (example (8) below).

6.5.1. Association and dissociation in Breadalbane conflict-letters

Breadalbane correspondents used a variety of linguistic forms to express association and dissociation. The more common patterns are selected to illustrate hierarchical, individual and collective dimensions of face₁. One of the basic linguistic devices for expressing one's view of oneself as an individual or as part of a group are naming practices (Hickerson, 2000: 160). Association practised through address or person-reference terms was subject to status. In asymmetrical kin-relations such as between Argyll and Grey Colin, only Argyll as the superior could address or refer to Grey as his *cousin* to indicate the collective component of kinship of their social-network face₁. Grey Colin had to use the honorific *your/his Lordship*. Status differences in addressing kin-members conform to conventions in early modern letter-writing manuals (e.g. de la Serre, 1668: 18r), and have also been attested by Nevalainen and Raumolin-Brunberg (1995: 585) in early English correspondence.

If inferiors wanted to highlight their in-group membership with a superior, they employed strategies that maintained hierarchy. They would, for instance, stress kin-relations through expressions such as *I am cum of his lordshipis hous* 'I have come of his Lordship's house' or *of ye surnam I beir* 'of the surname I bear' (MS NRS GD112/39/6/24 and 2/13). The prepositional phrases convey a subsuming of oneself under the larger, collective, entity of the superior's *house* or *surname*, or, what I would call, a part-of-whole association. Inferiors may also claim proximity with their superiors by constructing a related, yet self-contained identity. Grey Colin, for instance, foregrounds the long-standing kin-loyalty between his cadet-branch and the chiefly family as a relationship between two houses: *ye auld kindness yat wes betuix your lordshipis hous & myne* (MS NRS GD112/39/2/21). The coordinating conjunction *and* connects the house of Glenorchy and the Campbells of Argyll as distinct groups without subsuming one under the other.

Association strategies of superiors towards inferiors likewise preserve hierarchy. Lordship, for instance, might be expressed through the use of first-person attributes such as *my ser-wandis* 'my servants' (MS NRS GD112/39/12/5). The possessive determiner would signal the superior's acknowledgement of the referees as part of his group, while the nominal term would convey the inferiors' lower status.

Association could be performed for a relationship between two individuals; however, the implications were usually collective. When the close relationship between Atholl and Grey

Colin was challenged by a distorted account of an attack of Grey Colin's servants on some of Atholl's men, the conflict had to be resolved on an interpersonal and on an intergroup level. William Maitland of Lethington, Secretary of State and a good friend of Katherine Ruthven and Grey Colin, acted as mediator to *renew agane the freindschip betuix him and the lard* 'renew again the friendship between him [i.e. Atholl] and the Laird [i.e. Grey Colin]' (MS NRS GD112/39/9/8). The strained relationship between Atholl and Grey Colin affected the social-network ties of their houses. In his letter to Katherine, Maitland noted that many people wished to defer the marriage between Grey Colin's eldest son and Atholl's daughter. The marriage should strengthen the alliance between the two families; its obviation would increase the *Inametie betuix the tua housis* 'enmity between the two houses [i.e. Atholl and Glenorchy]' (MS NRS GD112/39/9/8). The close interconnection between interpersonal and intergroup social-network face₁ in this case is possibly an expression of the collective ideology among 16th-century Scottish upper ranks. Through loyalty and kinship conflicts between individuals extended to all who were bound to them (Cathcart, 2006: 95, Dawson, 1999: 212).

Dissociation is shown in linguistic strategies of distancing oneself from others, either for what those others are or do. Correspondents employ nominal terms with out-group connotations, such as *theiffis* 'thieves' or *vnfrend[is]* 'enemies' (MS NRS GD112/39/2/21 and 2/13). Moreover, they dissociate from others by condemning their actions, e.g. *ye | maist wickit and ongodlie procedingis of ye clangregour* 'the most wicked and ungodly proceedings of the Clan Gregor' (MS NRS GD112/39/8/5). Existing in-group membership could be potentially negated by threats of withdrawing support. When some of Grey Colin's tenants were reported to have participated in raiding and murder on the estates of the Buchanan clan, Argyll declared his unreserved protection of the laird of Buchanan, who was bound to him in manrent (see Dawson, 1997: 43). His threat to attack anyone who was found guilty of the actions committed against Buchanan implicitly included Grey Colin, who was suspected to have given his consent to his men: *quhateuer yai be yat dois | ye saymin we will nocht hald yame na odervayis to us nor the | clangregour* 'whoever they are who do the same [i.e. offend/attack Buchanan] we will hold them to us in no other ways than the Clan Gregor' (MS NRS GD112/39/3/24). Being associated with the Clan Gregor would mark anyone in that time as an enemy to Argyll, because the MacGregors were seen by the Campbells as the rebel clan who defied the lordship of their superiors, Grey Colin and Argyll (Dawson, 1997: 55-56). The threat was presumably given as a

warning to Grey Colin that he would lose the support of his chief if the reports about him and his tenants turned out to be true.

Association and dissociation are used as defensive strategies⁹² in the *Breadalbane* letters if correspondents perceived their social-network face₁ to be challenged. Kinship could be a decisive factor in people's negotiations of their position within a social network and of the social entitlements attached to that position. Grey Colin, for instance, was offended when he received a letter from Grandtully instead of a personal letter from Atholl (Dawson, 1997: 125). Atholl was "the most important magnate in Perthshire" and a cousin to Grey Colin (Dawson, 1997: 31, 38). Grandtully acted as "the earl's secretary", and it was not unusual for him to write letters to Grey Colin or other correspondents on Atholl's behalf (Dawson, 1997: 36). However, in this case, Grey Colin complained about the letter absence on the part of Atholl when responding to Grandtully's letter (example (5)):

- (5) [...] as to yat quhowbeit yat my lord wald *nocht* ways
prepar on me bot wald caus 3ou to wret I will except ye *samin*
 in ane gude *part* / for I beleive 3e haif wretin na thing bot it yat
 wes *commandit* 3ow / bot I *merwaill* of my lord of athole yat he weyis
nocht my cace mayr hawy of ye *gret skayth* yat duncan of rorow hes done
 to me be resoun yat I am *cum* of his *lordshipis* hous and may mak him mayr
steid and plesure nor ye said duncan and mony of ye rest of his freyndis may mak
 [...]
 'As to that although my Lord [Atholl] would not prepare ways on me but would cause
 you to write I will accept the same favourably because I believe you have written nothing
 except what you were told. But I am astonished of my Lord of Atholl that he does not
 weigh my case more heavily of the great scathe that Duncan of Roro has done to me by
 the fact that I come from his Lordship's house and may bring him more profit and pleas-
 ure than the said Duncan and many of the rest of his friends may make'
 (MS NRS GD112/39/6/24)

Grandtully had warned Grey Colin, on behalf of Atholl, not to avenge himself on Duncan MacGregor of Roro. Atholl assumed protection of MacGregor because he had made him promise not to commit any further raids on Grey Colin's estates. If Grey Colin acted against this warning, he would lose Atholl's *kyndnes* towards him (MS NRS GD112/39/6/23). Grey Colin's response to Grandtully's letter suggests that he perceived the warning as a threat to his social-network face₁. He stressed his kin-relation with Atholl through part-of-whole association (*I am cum of his lordshipis hous*). Additionally, he claimed a strong emotional bond with Atholl by emphasising the loyalty shown to Atholl (*steid and plesure*). Grey Colin contrasted his self-presentation as a loyal kinsman with MacGregor, whom he considered to be lacking in those qualities. He further dissociated

⁹² For counter strategies to impoliteness, see Bousfield (2008: 193).

MacGregor from himself and Atholl by reminding Atholl – as the indirect target of the letter to Grandtully – that MacGregor was the actual offender in this case. The strategies of association and dissociation reflect the contemporary priority given to kinship before any other relations (see Dawson, 1997: 9). The impoliteness event consists of Grey Colin's perception of Atholl as underestimating and neglecting social rights based on kin-loyalty. Grey Colin's assertion that his relation to Atholl should be more valuable to Atholl than MacGregor's suggests that the perceived offence was not only about rights, but also about positive values attached to those relations. In defending his social-network face₁, Grey Colin used association and dissociation to claim a core position for himself in contrast to a more peripheral position for his rival.

Furthermore, association and dissociation are employed in challenges to someone's social-role face₁ in response to a perceived breach of social rights. When criticising Argyll for neglecting his lordship duties, Grey Colin contrasted his negative view of his chief by constructing an image of the most loyal kinsman for himself (see example (7) in Chapter 5). Somehow similar to example (5) above, he asserted his core relation with Argyll through part-of-whole association (*of 3our lordshipis hous*) and through claiming a more loyal disposition towards his chief than anyone else. To stress his point further, he implied that Argyll's neglect of his best kinsman would lead to Grey Colin's untimely death, after which the earl would eventually notice the loss of his unfailing loyalty. Grey Colin also threatened to seek support elsewhere, which is a dissociative move: *Bot or I seik ane vyer refug [...] bot 3our lordship* (MS NRS GD112/39/12/13). It could lead to the splintering of his cadet-branch away from the parent-clan and thus could have been a serious threat of withdrawing his support and disrupting clan cohesion (see Cathcart, 2006: 122-124). In contrast to example (5) above, I would argue that Grey Colin employed strategies of association and dissociation not primarily to negotiate his social-network position in comparison to a specific opponent. Rather his interactional goal seems to pressurize his chief to fulfil the social responsibilities of support, while at the same time enhancing his own social-role face₁ through emphasising the exemplary fulfilment of his obligations.

6.5.2. Kingship or kinship?

Through language James constructed varying identities in different conflict-situations. This section focuses on his assertions of kingship as a strategy to emphasise his social status

towards others. Furthermore, James's letters have been searched for attitudes to the contemporary value of kinship (see Chapters 4-5).

James's ideas of kingship, as expressed in his political writings and speeches, provide important background information for interpreting his offence-reports. James fashioned himself as an absolute monarch. He rejected the contractual ideas of kingship represented by influential people in his kingdom like John Knox and George Buchanan (Wormald, 1991: 40-43). According to contract theory, royal power was granted by the people and could be withdrawn by the people if the king did not fulfil his social obligations (Goldenbaum, 2011: 501). James saw royal power as assigned to monarchs by God alone and rejected the people's rights to resistance against the king (Sommerville, 1994: xvii). As James stated in *The Trve Lawe of Free Monarchies* (1982 [1598]: 69), the king was "God's Lieutenant in earth", accountable to God only and worthy of trust from his subjects. Any attempt by his subjects to question the king's actions was seen by James as unlawful (Sommerville, 1994: xxv-xxvi).

James's perceptions of impoliteness were sustained by his beliefs in his royal prerogatives. He was indignant when Maitland criticised his revocation of grants (example (10) in Chapter 5). James's exaggerated presentation of Maitland's criticism conveys the insult he perceived on his social-identity face₁: *it is ill to be callid á theif | & syne found stealling* (BL Add MS 23241, f.40). His lexical choices suggest that he blamed the chancellor for associating him with people who acquired property by unlawful means. It is unlikely that Maitland's objection contained the same derogatory terms. Rather, a plausible interactional goal behind James's linguistic strategy of dissociating himself from the out-group of thieves was to counter the perceived attack on his indisputable royal authority.

Furthermore, the king asserted hierarchical differences in the social-role relationship with his chancellor. James's reminder of Maitland's dependence on him implies an understanding that Maitland had transgressed a boundary in criticising his superior. As regards his royal role, James presented his reprimand as a demonstration of his *goodeuill* towards his inferior. Thus, the social right to criticise the other is given a hierarchical dimension.

Both letters to Maitland in the James VI sub-corpus differ from criticisms in the *Breadalbane* sub-corpus with respect to their absence of association. In the *Breadalbane* letters, the maintenance of hierarchy occurs within expressions of association, even when it was

restricted to more formulaic usages in letter openings and closings. For example, Argyll's frequently used subscription *Yours* would still be a more associative practice than James's *fairueill in haist* (e.g. MS NRS GD112/39/2/20, BL Add MS 23241, f.5). The assertion of hierarchy without association in James's letters to Maitland may have to be assigned to their merely professional social ties. In contrast to most correspondents in the *Breadalbane Collection*, there was no kinship or alliance between James and Maitland to claim.

However, the letter to Carr shows strategies of maintaining hierarchy while performing closeness with a non-kin inferior. In example (6), James described the close relationship between him and Carr before the change in Carr's conduct:

- (6) [...] I must ingenuuslie confesse ye haue deserued more truste
and confidence of me then euer man did / in secrecie aboue all fleshe / in feeling and
unpartiall |
respect as well to my honour in euerie degree as to my profite / and all this without
respect ather |
to kinne or allye / or your neerest or deerest freind quhatsomeuer [...]
and in those points I confesse I neuir saw anie
come towards your merite / I meane in the points of ane inwardlie trustie freind and
seruant / |
(LPL MS 930, Item 90)

The king defined the exceptional trust and intimacy between him and Carr as independent of kinship or any kind of alliance. The emphasis on individual merit contrasts with the *Breadalbane* letters, in which kinship and loyalty between allies are key factors for consolidating social networks. The fact that James highlighted the lack of strong functional ties between him and Carr suggests that he consciously juxtaposed his idea of social closeness based on emotional components with the prevailing social values of the Scottish upper ranks.

However infatuated James might have been with his favourite, he was clear about their hierarchical social roles. The worst aspect of Carr's conduct in the king's view was Carr's declared intention to maintain his favourite position by intimidating his master rather than by loving him (example (7)):

- (7) [...] quhiche is worst of all / and worse than anie other
thing that can be imagined / ye haue in manie of your madde fitts done quhat ye can [to]
persuade |
me that ye meane not so muche to hold me by loue heirafter / as by awe [...]
(LPL MS 930, Item 90)

When James elaborated on the same point, it becomes apparent that Carr's threats countered more than social rights of respect in an intimate friendship (example (8)):

- (8) Remember that all your being except your breathing and soule is frome me. I told you twyce | or thryce that ye might leade me by the hairt and not by the nose / I can not deall honestlie if I deall | not plainelie with you / If euer I finde that ye think to retaine me by one sparkle of feare / all | the violence of my loue will in that instant be changed in as violent a hatred [...] lett me be mette then with your entyre hairt but softened with humilitie / lett me neuer apprehende that ye disdaine | my persone and undervalue my qualities / nor lette it not appeare that any pairt of your former affection is | cooled towardis me / a king may slakke a pairt of his affection towards his seruant wpone the pairtis defaulte | and yet loue him / but a seruant can not do so to his maister / but his maister must haite him [...] | think neuer to value your self to me of any other merites so muche as by loue and hairtelie humble | obedience.
(LPL MS 930, Item 90)

James criticised Carr for exercising “power *in* discourse” whilst himself declaring his royal “power *behind* discourse” (Fairclough, 1989: 43, original emphasis).⁹³ The king allowed Carr an unusual degree of influence over him, but this authority had to emerge from humble affection, not coercive strategies of intimidation. He reminded Carr of his dependence on his *Creator under God* (LPL MS 930, Item 90). Born without titles or lands, Carr owed his powerful position entirely to James.⁹⁴ In return, he was expected to serve his king with *hairtelie humble | obedience* (LPL MS 930, Item 90). Carr's arrogant attempt to exercise control over James is presented as a violation of God-given hierarchies.

The reported breach of royal rights of respect appears to be interconnected with face₁. James's wordings in example (8) imply that he felt personally devalued: *lett me neuer apprehende that ye disdaine | my persone and undervalue my qualities* (LPL MS 930, Item 90). The claim of quality-face₁, however, is embedded in the king-servant relationship between James and Carr. James accused Carr of disdaining him as a king, and thus threatening the social-role face₁ attached to their relationship. Possibly, the king's quality-face₁ as

⁹³ For definitions of Fairclough's (1989) terms, see Section 2.5.1.

⁹⁴ Whyte (1997: 5) notes that Scottish nobles might grant lands to their younger sons; however, the wording of James's letter and the ODNB entry for Robert Carr suggests that he had received all his landed property from the king.

a specific individual was so closely intertwined with relational aspects of his social identity that the different dimensions of face₁ had become virtually inseparable.

Kingship was also asserted in one of James's letters to Elizabeth; however, it was combined with kinship and alliance, and served to claim in-group relations between power equals (example (9)):

- (9) [...] a short refusall had les displeasid me
 than ane *ansourlesse* and disdainfull delay, remember that **as I ame youre
 kinsman so am I a frie prince**, the disdainning of me can be no honour to you, the
 wse of tempting **your freindis** so sore can turne you to no aduantage, if ye
 think **my freindshipe** worthie that annuitie rembember qui cito dat bis dat⁹⁵
 (MS CP 133/176, emphasis mine)

The context of this letter is Elizabeth's delay in letter-writing and in attending to her promise of financial support. James employed nominal terms of kinship and friendship⁹⁶ to negotiate his social ties with the English queen and remind her of her obligations. One of the functions of kinship terms in early modern correspondence was to evoke social rights determined by such relational bonds "as a form of passive aggressive protest" (Allinson, 2007: 11). James's lexical choices imply a threat to his social-network face₁ and underscore his accusation of Elizabeth's rapport-neglect, e.g. *disdainfull delay, if ye think my freindshipe worthie that annuitie* (MS CP 133/176). Next to social ties, James asserted group-membership based on shared royal status. Towards Elizabeth, the expression of kingship becomes an association strategy, whereas towards social inferiors it served as a dissociative move of stressing social distinction. In the same letter, James further upholds his social-identity face₁ as *a frie prince* through dissociation: *it is | no wounder I wearie to be a longsum suthire as one who was not borne to | be a begger but to be beggit at* (MS CP 133/176). Royal status is performed by distancing himself from people from the lowest rank through a negative sentence construction, followed by the connective *but*, which introduces a contrary social identity. James used a generic social distinction between himself and a *beggar* to justify his impatience in pursuing Elizabeth with reminders, and thus again to defend his social rights. In the wider context of James's correspondence with Elizabeth, in-group claims were a linguistic strategy to achieve his interactional goal of being acknowledged as heir to the English throne (see Doran, 2005: 214-215).

⁹⁵ "Who gives quickly gives twice" (Akrigg, 1984: 153).

⁹⁶ For a discussion of the period- and context-specific meanings of friend, see Section 4.5.

6.6. Conclusion

Given the varied findings for private-public dimensions in the *Breadalbane* and James VI sub-corpora, assigning *private* or *public* as absolute labels to investigated letters would be inadequate. Instead, epistolary offence-reports represent various shades along a continuum from private to public. Concerning accessibility, letters were never absolutely non-public. Nonetheless, there were situations of potentially more closed letter exchange. The evidence of the *Breadalbane* letters suggests that letters were not shared with anybody. In inner-circle communication, it appears that letters were circulated among select members of a social network only, similar to the “widespread social practice” of “closed circulation” in early modern England (Daybell, 2012: 192-193). Letter communication as part of inter-group conflicts would have been more exposed since communication involved heads of different groups. Letters had to be delivered across territories whose inhabitants might not have been favourably disposed to one’s group; therefore, there might have been a higher risk of letters falling into the wrong hands. Given what we know about James’s lodgings, there was – from a modern point of view – “very little privacy” for conflicts even in the bedchamber (Cuddy, 1987: 178).

Regarding conflict-scope, conflicts in the *Breadalbane* sub-corpus range from more private disputes between core members of networks to national wars. The dimensions of access and conflict-scope could have different dynamics. Conflicts in James’s correspondence had an even wider spectrum from tensions with his favourite to international affairs, which the king mediated by means of his social role.

First-order notions of private and public could be a key factor in shaping correspondents’ understandings of verbal offences in both sub-corpora. In the *Breadalbane* letters, participants’ perceptions of private and public could have opposite effects on their assessments of behaviour. Perceived offensive behaviour could be aggravated through public disclosure, or conversely, through keeping it more secret. First-order evaluations of behaviour as too public or too private are probably as situation-specific as the resulting judgement of offensive behaviour.

Individual-collective dimensions of conflict-situations were closely intertwined. Face₁ and social rights in the *Breadalbane* letters were mainly determined by social roles and social network ties, and mediated by individual correspondents as group-representatives. James’s identity as an individual was inseparably intertwined with the collective components of his

social role. The Scottish king seemed to be constantly aware of the public dimension attached to his royal status, whether he acted as a national representative in his letters to the English queen or more personally in interactions with his closest servants. Nevertheless, as shown by the king's own words, he perceived the latter context as *private*, and differentiated it from the more public dimension of his interactions with the queen's ambassadors. The minor role of the most individual level of face₁ in both sub-corpora might be explained by the prevailing non-personal functions of the letters (see Section 4.3). If quality-face₁ was more important than suggested by the investigated letters, concerns must have been shared in other contexts.

Breadalbane correspondents used various strategies of association and dissociation in conflict-situations to defend face₁ and social rights of themselves and their groups. Correspondents negotiated their positions within social networks through foregrounding close social ties for themselves and peripheral relations for rivals. Moreover, association and dissociation were employed to claim the social rights attached to social network ties. The acknowledgment of hierarchical distinctions in linguistic expressions of association indicates the importance of social hierarchy in contemporary perceptions of group-based face₁ and social rights.

Expressions of kingship and kinship in James's letters have different, even opposite, functions. Notions of kingship underpin all of his offence-reports in the James VI sub-corpus. Depending on the recipient, James used kingship to claim social distinction or in-group status. The motivations underpinning James's expressions of kinship resemble or contrast with the *Breadalbane* letters, depending on the specific situation. Similar to 16th-century Scottish upper-rank correspondents, James used kinship as an association-strategy towards Elizabeth. In his closest relationship with his favourite, however, more individual-based values overrode kinship.

The advantage of James's letters is the wealth of historical research on the Scottish king, which enables historical pragmaticists to acquire more details about the contexts of conflicts. As the analyses of James's letters have shown, the dynamics between face₁, social rights and interactional goals are crucial to understanding offence-reports in interactions. Interactional goals are often subject to speculation in historical data. However, the widely surveyed historical evidence for James can enhance reconstructions of how he used offence-reports and politeness framings to pursue his goals and negotiate aspects of his iden-

tity and relationships. Further research is, of course, needed to substantiate the tentative conclusions of this and the previous chapter.

In the following chapter, the focus shifts from correspondence to court-records. Since verbal offences were recorded as legal evidence, the context and functions of conflict-narratives in these texts differ from those in correspondence. The investigation aims at developing a deeper understanding of how the legal background shaped the language and private-public dimensions of offence-reports in court-records.

7

Records of verbal offences in Scottish criminal/church-courts

7.1. Introduction

Spoken words in the early modern period were credited with having powerful effects (Gowing, 1996: 111). Ill-wishes spoken in anger were readily interpreted as malicious spells. In turn, rumours of witchcraft could be lethal to targets; hence, people took slander to court to have their reputations restored (Gowing, 1996: 111, Todd, 2002: 247). Because of these period-specific conditions and attitudes, we find written recordings of offensive spoken language in legal papers, sometimes documented with a surprising amount of detail.

This chapter introduces the textual evidence and methods for studying verbal offences in 16th-/17th-century Scottish court-records in the subsequent chapters. After a brief review of historical pragmatic research on court-records, some historical information is given on two types of early modern Scottish law-courts: the Justice Court (henceforth JC) and Kirk Sessions (henceforth KS), representing criminal and ecclesiastical court-records respectively. Criminal and ecclesiastical courts differed in the kinds of offences under their jurisdiction (Kytö et al., 2011: 110-136). Material for this study is selected from both courts to obtain a broader range of case-types. One of the principal factors affecting the reliability of historical data is the transmission process (Jucker and Taavitsainen, 2003: 8). Section 7.4 therefore explains how verbal offences were recorded and transmitted as legal evidence, and how these processes shaped the language of court-records. After contextualising the primary sources, the selected material is described and evaluated.

7.2. Previous research

Research on court-records covers various aspects of historical pragmatics. Of special interest to this study are investigations into impoliteness, facework and speech-acts in EModE court-records.⁹⁷ Studies of face and impoliteness in early modern court-records cite Culpeper's earlier and recent impoliteness definitions (e.g. Archer, 2011a); however, to my

⁹⁷ Other lines of research on EModE court-records concern address-terms (e.g. Hope, 1993, Kytö et al., 2011, Nevalainen, 1994, Walker, 2007), discourse analysis (e.g. Cecconi, 2010, Culpeper and Kytö, 2010, Moore, 2002, Wright, 2000) and philological aspects (e.g. Kytö et al., 2011, Grund, 2007).

knowledge, the main ideas of his 2011 framework, such as impoliteness metadiscourse, have not been tested on historical court-records.

Scholarly interests in EModE courtroom discourse and depositions have increased since around 2000 (Cecconi, 2012: 38). Depositions are oral testimonies by witnesses, plaintiffs or defendants that were written down by scribes and used as legal evidence in court-cases (Kytö et al., 2011: 1). Research developments are likely to have been spurred by the successful establishment of historical pragmatics as a new subfield and facilitated access to court-records (Cecconi, 2012: 38, Jucker, 2000a: 47). Before 2000, court-records could mainly be accessed through print editions (e.g. Cusack, 1998) or manuscripts, except for some trial samples in the *Helsinki Corpus of English Texts* (HCET) and the HCOS. More substantial electronic sources for court-records have only been available since after 2000, i.e. the *Corpus of English Dialogues 1560-1760* (CED), the manuscript-based *Electronic Text Edition of Depositions 1560-1760* (ETED) and a digitised edition of the Salem witch-hunt.⁹⁸

Archer's (e.g. 2007, 2008, 2011a) work, which has already been partly reviewed in Chapter 2, has been influential in enhancing our understanding of the impact of power on understandings of impoliteness in courtrooms. Her case study of questioning strategies in 17th-/18th-century English trials shows that "whether impoliteness had taken place" was determined by the most powerful participants in the courtroom, i.e. judges (Archer, 2008: 203). The complaints of powerless participants about the face-aggravating behaviour of legal professionals were hardly effective. Instead, their own use of verbal aggression⁹⁹ techniques was readily evaluated as impoliteness (Archer, 2008: 203). Cecconi's (2012: 110) research on the interaction between defendants, judges, lawyers and witnesses further corroborates that legal professionals used impoliteness reports as an exercise of power to strengthen asymmetrical speaking-rights in 17th-century English courtrooms. Chaemsaithong's (2009) observations of defendants' use of self-saving strategies in the Salem witchcraft trials are valuable as they reveal underlying functions of group-membership construction similar to findings in Chapter 9; however, Chaemsaithong's theoretical

⁹⁸ For more details on the CED and ETED, see Kytö and Walker (2006) and Kytö et al. (2011). A digitised edition of the Salem witchcraft trials was completed in 2003 under the supervision of Benjamin C. Ray and Bernard Rosenthal. The electronic source texts are based on an earlier print edition of 1977 (see <http://salem.lib.virginia.edu/home.html>). Rosenthal et al. (2009) produced a new comprehensive manuscript-based print edition.

⁹⁹ For a definition of verbal aggression, see Section 2.6.

framework is flawed by the conflation of scientific-theoretic with first-order concepts of face.

Further models of data-sensitive approaches to historical court-records are Culpeper and Archer's (2008) study of requests in EModE courtroom dialogue and Culpeper and Semino's (2000) investigation into cursing in EModE witchcraft depositions and educational treatises. According to Culpeper and Archer (2008), EModE courtroom politeness was apparently underpinned by values different from the present-day British preference for linguistic indirectness. In present-day British politeness, more direct forms of requests may often be perceived as violating values of non-imposition. By contrast, more direct forms were most frequent in 17th-/18th-century courtroom dialogue, suggesting that there was less need to moderate requests (Culpeper and Archer, 2008: 76-78). Culpeper and Semino's (2000) descriptions of the historical functions of expressive and harm-causing curses have been helpful for the present analysis of cursing in Scottish court-records (see Chapter 8).

Compared with the growing body of research on EModE court-records, historical pragmatic studies on Scottish court-records are relatively few. Dossena (2001), for instance, investigates modal meaning in legal discourse, using the material in the HCOS and HCET. Kopaczyk's (2013) study of lexical bundles in Scottish burgh court-records from 1380 to 1560 demonstrates that Scottish legal discourse has idiosyncratic features and is worth studying in its own right. Leitner (2013) finds that patterns of address pronoun usage are similar in Late Middle Scottish and Early Modern Northern English depositions, thus adding another jigsaw piece to the picture of regional variation described by Kytö et al. (2011: 215-245). Additionally, observations about the language of Scottish court-records in historical research are worth mentioning. Graham (1996: 74) notes that the language of Scottish KS records was mostly formulaic. Todd (2002: 236ff.) analyses flyting in Scottish KS records. Based on evidence in the records, flyting is defined as a ritualistic reciprocal exchange of derogatory expressions, usually in public places of early modern Scottish towns. Todd (2002: 236) argues that flyting was used to arouse neighbours to intervene as mediators in conflicts, thus a pragmatic strategy towards conflict-settlement. Still, flyting could escalate into physical violence or slander suits (Todd, 2002: 241, 244). Scottish poets like Dunbar imitated everyday flyting in their literary works, exploiting the "entertainment" function of such conflicts (Todd, 2002: 236). Unfortunately, the methodology behind Graham's (1996) and Todd's (2002) linguistic analyses is not made explicit. Graham (1996: 57, 74), for instance, does not explain which linguistic features he considered to reflect

“formulaic” language. As regards Todd’s (2002: 236ff.) analysis, it is not clear how she distinguishes flyting from related verbal offences such as insults.¹⁰⁰ Nevertheless, their insights are valuable and deserve more attention from linguists.

7.3. The historical context of Scottish court-records

The following historical introduction briefly explains the roles of the JC and KS within the early modern Scottish legal system to set the wider context of verbal offences in court-records. Discussion focuses on the scope of criminal and KS jurisdiction, judicial offices and the social background of those who held them, legal proceedings, and how secular and ecclesiastical jurisdiction complemented and overlapped with each other. The information given in this section is more general as later sections will expand on certain topics.

7.3.1. The Justice Court

The JC¹⁰¹ was the supreme criminal court in early modern Scotland (Gillon, 1953: 4). Most cases were heard at the Old Tollbooth in Edinburgh (Gillon, 1953: 3). Assize courts should have been held twice a year in different parts of Scotland, but this plan was hampered by various dangers, such as attacks, storms and plague (Smith, 1972: iii). The JC was subordinate to the Privy Council (Walker, 1995: 417). As the supreme judicial body under the monarch, the Privy Council was authorised to “intervene” at every stage of JC proceedings (Gillon, 1953: 7, Whyte, 1995: 216).

The JC tried higher criminal offences, while minor crimes were under the jurisdiction of local courts (Walker, 1995: 414). JC jurisdiction comprised crimes against monarch and state, e.g. treason, “crimes against persons” including any form of physical violence or sexual crimes, “crimes against persons’ property”, e.g. theft, witchcraft, and a range of “miscellaneous offences” (Walker, 1995: 464-492, Smith, 1972: xxxii-xxxiii). Of these case-types, “the crime of violence” was “the most common crime” heard by the JC (Smith, 1972: xxxii). Witchcraft pertains to all of the larger categories: As illustrated by cases in JC editions, alleged witches were accused of seeking to kill the monarch, causing harm to persons or destruction to their property, or a combination of all those charges.

¹⁰⁰ Among her examples are cases that were not evaluated as *flyting* by KS or in which there is no indication that an insult was reciprocated (see Todd, 2002: 241 and *Aberdeen KS*, 1606-1607: 55-57).

¹⁰¹ Pitcairn (1833), Gillon (1953) and Smith (1972/74) refer to this court as the *High Court of Justiciary*; however, this term only became established in 1671 (Dickinson, 1958: 411).

The head of the JC was the Justice-General. From 1514 the office was held by the earls of Argyll until it was relinquished as a hereditary office in 1628 (Walker, 1995: 414). Later office-holders continued to be selected from the upper ranks (Gillon, 1953: 5). The Justice-General was assisted by the Justice-Clerk and by Justice-Deputes (Walker, 1995: 415). Office-holders were usually trained lawyers from higher-rank families (Gillon, 1953: 5-6; Walker, 1995: 384). The Justice-Clerk managed pre-trial processes, e.g. producing a list of suspects and charges and making initial enquiries (Walker, 1995: 425-426). Justice-Deputes supervised trial-proceedings (Smith, 1972: xiii). Administrative work was carried out by court-scribes (Walker, 1995: 394-395).

Criminal lawsuits were initiated by private or public prosecution. A private prosecutor had to be someone affected by the crime, either a victim or kin. Crimes which jeopardised public peace and welfare were prosecuted by the Lord Advocate and his deputies, who acted as crown representatives. Joint prosecution of royal advocates and private litigants became increasingly common in the 17th century (Walker, 1995: 427-429).

Pre-trial investigations were undertaken by different institutions. Many cases were first heard at other courts before being remitted to the JC for trial or verdict (Smith, 1972: xi-xx). Local courts such as burgh courts and KS often acted as the JC's extended arm to collect legal evidence in places where crimes had been committed. Pre-trial investigations of state crimes and high-status offenders were supervised by the Parliament, Privy Council or members of the Lords of Session or "a combination of these" (Smith, 1972: xx). Shared supervision in deposition-taking is also attested for other judicial bodies, e.g. joint investigations by crown representatives and the Justice-Depute or the Justice-Depute's presence at KS meetings (Smith, 1972: xiii, xx). Moreover, serious cases could be tried by Parliament or Privy Council and remitted to the JC for verdict only (Walker, 1995: 417). Whyte (1995: 216) notes that "it is not always clear by what processes cases came to be tried by one court or the other".

After collecting the evidence, cases were brought to trial. Justice-Deputes acted as judges. They examined facts of pre-trial investigations, decided if arguments made by the various parties, i.e. prosecution, panel and defence, should be rejected, and imposed sentences (Smith, 1972: xiii, xxvii). In contrast to the English legal system at the time, Scottish defendants in criminal cases were entitled to defence counsel (Walker, 1995: 386, 431). Sentences were based on the jury's verdict or the defendant's plea of guilt (Smith, 1972: xxx).

The jury was selected by the prosecution, but members could be examined for partiality (Walker, 1995: 431). Among the “almost invariably 15” jury-members were Lowland lairds and Edinburgh burgesses as well as “men from the neighbourhood of the crime”, who could be commoners (Smith, 1972: xlv).

Punishments for criminal actions varied. Walker (1995: 438) argues that “[i]f there was any underlying philosophy of punishment it was prevention of repetition of the offence and deterrence of others from doing likewise.” Where sentences are available, defendants in this study were mostly executed, often combined with forfeiture of property, or sentenced to corporal punishment and banishment.

7.3.2. Scottish Kirk Sessions

KS were established after the Reformation in Scotland in 1559-60, when the ecclesiastical jurisdiction of Catholic church-courts was taken over by the Reformed Kirk. They represented the lowest and most local level in the hierarchy of Scottish church-courts (Walker, 1995: 272, 288-301). The KS’s role was to educate parish communities in the new Protestant faith and to eradicate sinful behaviour through strict moral discipline. There were widely shared views in 16th-century Scotland that society was in a state of disorder. The implementation of Calvin’s Geneva system of godly discipline was seen as one of the “remedies” to cure this condition (Graham, 1996: 1). Increasingly, KS were also sought as “peacemakers” in conflicts (Graham, 1996: 290). Conflict-settlement by KS was rooted in Christian values of neighbourly love and respect (Graham, 1996: 298). Additionally, KS had social responsibilities, such as poor relief or the maintenance of hospitals and schools (Todd, 2002: 11).

A KS had jurisdiction over one parish (Todd, 2002: 10). Jurisdiction was based on canon law, i.e. the totality of laws established by the church as an institution, which served to regulate all aspects related to the church and their members. Laws were based on various sources, amongst them the Old Testament (Scanlan, 1958: 69). More than half of KS cases in early modern Scotland concerned wills and contracts. The rest were offences of various

kinds, usually minor moral offences such as sexual immorality, and any disruption of peace in the neighbourhoods, e.g. quarrelling, slander, etc. (Graham, 1996: 71, 204).¹⁰²

KS were judicial bodies of local people. The head was an ordained pastor, or in Scotland called a minister. The minister was assisted by a number of lay elders and deacons (Todd, 2002: 8, 21). Elders formed the judicial body in KS meetings, together with the minister. Moreover, elders were assigned parish quarters for surveillance, which included catechising parishioners and detecting offenders. They also had to supervise schools to ensure the correct teaching of Protestant doctrine (Todd, 2002: 32, 61, 75). Deacons were responsible for “the collection and distribution of alms” and performed “ceremonial roles in communion celebrations” (Todd, 2012: 28). Parishes appear to have differed with respect to the judicial role of deacons. Deacons in Perth were excluded from KS proceedings (Todd, 2012: 28). In contrast, St Andrews deacons were expected to sit in KS meetings (Fleming, 1889-90: xxiv). In urban parishes – as represented by the samples of this study – the KS was a group of middle-rank men, upper commoners and occasionally local lairds (Graham, 1996: 80, Todd, 2002: 9, 2012: 27). Elders were usually members of the local elite (Graham, 1996: 66). The status of deacons was generally lower than that of elders; however, their social background is often not recorded (Todd, 2012: 28). The size of KS varied between parishes and across time. The Canongate KS, for instance, consisted of 8 elders and 8 deacons, while the St Andrews KS comprised up to 26 lay-members, and increased up to 59 in 1593 (Graham, 1996: 79, 98-99, 208). Election processes differed across parishes. In St Andrews, elders and deacons were elected by members of the burgh council and the university. In Perth, new session-members were self-elected by the KS (Graham, 1996: 78, Todd, 2012: 26). Elections were held annually. Old members were not always replaced by new members. In St Andrews, elders and deacons could be re-elected and usually remained in office until death, while in the Canongate KS, members changed more frequently (Graham, 1996: 79, 99).

A lawsuit at the KS could be initiated by any member of the community¹⁰³ or the KS. Because of their supervisory roles, elders had the responsibility of initiating prosecution of offenders discovered in their quarters (Todd, 2002: 11). Alleged offenders were then sum-

¹⁰² For a quantitative survey of case-types in post-Reformation KS, see Graham (1996).

¹⁰³ In reality, access to justice was not affordable for lower commoners unless they were supported by their employers (Gowing, 1996: 48). The 40-shilling fee to initiate a lawsuit roughly equalled an urban day labourer's monthly wage around 1560 (Gibson and Smout, 1995: 278, Whyte, 1995: 213). Wages were affected by inflation and the availability of work, and might have been paid in kind rather than money, which further reduced labourers' financial resources (Gibson and Smout, 1995: 261-285).

moned before the KS to answer the charges (Todd, 2012: 34). Proceedings took place behind closed doors, in the church building (Todd, 2002: 163). Litigants were asked to produce witnesses if more evidence was needed (Todd, 2012: 35). Depositions of witnesses and KS minutes were recorded in writing by the session clerk (Todd, 2012: 31). The clerk's office was often performed by the reader, a lay clergyman employed for Bible readings in church (Todd, 2002: 68).¹⁰⁴ Litigants usually defended themselves; only rarely did lawyers act on their behalf (Walker, 1995: 298). After assessing the available evidence, the KS made a decision and pronounced a verdict (Todd, 2012: 35).

Sinners were disciplined with rituals of repentance, which were more or less public depending on the seriousness of offence, often complemented by fines paid into the poor box (Todd, 2012: 36). Penance rituals followed scripts prescribed by the KS (Todd, 2002: 127). Sinners had to confess offences and ask offended parties for forgiveness. The "ultimate sanction" was excommunication, which resulted in social isolation from the community (Graham, 1996: 8). Excommunication was used to warn unrepentant sinners, and was not often executed as an actual sentence (Graham, 1996: 84-85, Todd, 2012: 34). Moreover, it was not intended to be permanent; sinners who repented were welcomed back (Graham, 1996: 8). More severe forms of retribution had to be transferred to civil authorities, because church-courts were not authorised to impose corporal punishment or death penalties (Todd, 2012: 37, Graham, 1996: 45). Sinners could, for example, be put in the branks and would be displayed in an open place, such as the market cross, to face public shame for their offence. Branks were "a sort of iron cage locked around the head with a forked protrusion designed to go into the mouth" (Todd, 2002: 142). Imprisonment – in the tollbooth or church steeple – or execution is also recorded, although the latter was not pronounced on verbal offences.

Ecclesiastical and secular courts had distinct judicial roles, but there were overlaps. The abovementioned transfer of cases from KS to town magistrates and the JC shows how church and secular courts cooperated. Apart from transferred cases, the jurisdiction of the two court-types was quite clear-cut in terms of which cases were heard by which institution (Graham, 1996: 156). The overlap between ecclesiastical and secular jurisdiction was more a matter of personnel than case-types. Although the Kirk propagated a clear division, the reality was different with members of secular courts also serving as elders in church-courts and vice versa (Graham, 1996: 72). Furthermore, secular authorities had their interests rep-

¹⁰⁴ In the Canongate parish, however, the minister acted as session clerk (Graham, 1996: 98).

resented in KS, for example, through the abovementioned election of KS members or the regular or exceptional participation of provosts in KS meetings (Graham, 1996: 78, 208, Todd, 2012: 281, fn16).

7.4. Genre features of court-records

Offence-reports in early modern court-records are embedded in period-specific conventions of how legal evidence was recorded and used throughout court-proceedings. Section 7.4.1 describes the recording and transmission process of legal papers at criminal and ecclesiastical courts. The recording and transmission process forms the backdrop to two genre features of court-records, discourse levels and multiple voices, which are taken into account when interpreting verbal offences in those texts.

7.4.1. *Recording and transmission of legal evidence*

Criminal and ecclesiastical courts differed in court-procedure (Kytö et al., 2011: 101-146). Hence, the recording and transmission process for the two court-types is treated separately. Subsequently, some general background is given on the scribes behind legal records and the nature of the surviving texts.

The recording of legal evidence prior to criminal trials involved representatives of judicial bodies (see Section 7.3.1), clerks and witnesses. Interrogatories, i.e. “a written list of questions”, were not required, but justices could use them to structure examinations (Kytö et al., 2011: 105; Walker, 1958: 308). Both prosecution and defence had the right to propose interrogatories (Smith, 1972: xiii). As a result of the lack of standard formats, criminal court depositions show great variation in length and detail (Kytö et al., 2011: 105). Testimonies had to be signed by witnesses, justices and clerks to be valid. Depositions were then “sealed up and not opened” until court-hearings (Walker, 1958: 309).

Recorded evidence was rearranged throughout court-proceedings. Court-records such as summonses and indictments¹⁰⁵ were based on testimonies (Kytö et al., 2011: 117). A summons was an official document authenticated by the royal signet which served to call the accused to appear before the court (Walker, 1995: 395). Indictments outlined the

¹⁰⁵ The term for indictments in Scottish trials is *dittay*.

“charge against the accused” and were more formulaic in structure and style than depositions (Walker, 1995: 429). Summonses and indictments were prepared by justice-clerks or their deputies (Walker, 1995: 396, 426). Depositions were not copied word-by-word into these documents. Legal evidence was often reduced to the passages that served the prosecution best to construct their narrative (Syme, 2012: 78). Moreover, depositions were read out during court-proceedings; witnesses were rarely asked to confirm their depositions or give further evidence in court (Smith, 1972: xiv).

Unlike the advance recording of depositions in criminal courts, the collection of evidence in ecclesiastical courts was undertaken “at various stages of the legal procedure” (Kytö et al., 2011: 146). Deponents appear to have been examined during KS meetings (*St Andrews KS*, 1560/61: 66).¹⁰⁶ In contrast to criminal procedures, interrogatories were the norm in ecclesiastical examinations of witnesses (Kytö et al., 2011: 105). The question-answer format often would not be visible in depositions. Even so, deponents’ answers could be shaped by the questions they were asked (Gowing, 1996: 47).

Depositions were read out during KS meetings, as indicated by citations of testimonies in KS minutes. As in criminal court-records, the evidence was subject to modifications in the transmission process (Todd, 2002: 19). Sometimes verbal offences were committed in front of the KS. For instance, religious dissenters summoned before the session would remain defiant and answer with *contempt* (e.g. *St Andrews KS*, 1564: 194-195). In such cases, the minutes served as evidence for the words spoken. Utterance-events¹⁰⁷ recorded in minutes could be quoted again in summons when litigants had to reappear before the KS (e.g. *St Andrews KS*, 1564: 198).

In criminal and ecclesiastical court-records, scribes played an important role in producing the legal texts; however, in most cases we may know very little or nothing about their identity, education and social status (Kytö et al., 2011: 148, 151). Generally, the demand for legal training in 16th-century Scotland was greater than what could be provided (Walker, 1995: 380). Scribes at Scottish criminal courts were authorised to offer some legal counsel, which suggests that they must have had some legal training (Walker, 1995: 395). If scribes at burgh courts and KS were notaries, they would have some legal education; however, notaries only rarely worked in ecclesiastical contexts (Walker, 1995: 389-391).

¹⁰⁶ Graham (1996) and Todd (2002, 2012) do not comment on the recording setting of KS deposition-taking.

¹⁰⁷ The term *utterance-event* is defined in Section 3.6.

Presumably, the wordings of verbal offences and their evaluations in the investigated records are at least to some extent influenced by scribal choices. Identifying scribal hands goes beyond the scope of this study.¹⁰⁸ Although the precise number of scribes cannot be provided, some information has been found. In the *St Andrews KS* (MS CH2/316/1/1, p.114), scribes occasionally acknowledge themselves in the minutes, e.g. *george black readar with my hand*. For the *Canongate KS*, Calderwood (1961: 3) argues that there is only one scribe for all the records in her edition. Gillon (1953: 11) identifies three hands in JC records for the period 1625-1639.

Surviving court-records are not originals. The neat handwriting and few corrections in the preserved documents suggests that court-records were copied in the transmission process. In recording situations with time constraints, such as depositions and court-proceedings, some form of shorthand was probably used to record “only the substance of what was said” (Kytö et al., 2011: 42). Additionally, depositions and other process papers were copied into KS minutes (see Section 7.5.4). Thus, the surviving records represent “a mediated, rearranged, and possibly rewritten version” of verbal offences and their evaluations (Gowing, 1996: 47).

7.4.2. Discourse levels

As a result of the recording and transmission process, criminal and ecclesiastical court-records consist of multiple embedded discourse levels. This characteristic can be described with Culpeper and Kytö’s (2010: 69-71) model derived from Leech and Short’s (2007: 206-230) discussion of discourse levels in fiction.¹⁰⁹ In example (1), there are at least six embedded discourse levels:

- (1) [Level 1]
 [Level 2/3]
 1 article
 And trew it is That 3e ye said Agnes ffinnie express contrair ye said lawis & actis
 of parliament schaiking aff all feir of the almychtie & omnipotent god hes yir mani 3eiris
 bygane be 3our sorcerie & witchcraft laid one & tane af dyverse horrible deseasis &
 seiknessis vpon sindris persones his majesties good people & subjectis And namelie
 [Level 4/5] be ye |
 space of ellevin 3eiris bygane [Level 2/3] 3e haveing consavit ane devillische heatret &
 evill will |

¹⁰⁸ For an example of such an analysis, see Kytö et al. (2011: 147-180).

¹⁰⁹ See also Kytö et al.’s (2011: 38-44) discussion of discourse levels in EModE depositions based on the same model.

Aganes [Level 4/5] *william* fairlie sone to mr *william* fairlie broyer to ye laird of Braid
 for ye tyme A boy |
 of nyntene 3eiris of adge Becaus in his merienes he cwming by 3our dure was in vse
 to call 3ow [Level 6] Anny winnie [Level 4/5] by nikname [Level 2/3] 3e yairfoir out of
 3our malitious mynd [Level 4/5] threatnit |
 & said to him [Level 6] 3e sould mak him goe halting hame [Level 4/5 > 2/3] According
 to the *quhilk* devillische & |
 malitious <deletion> threatning [Level 4/5] the said *william* fairlie cwming by 3our
 hous dure *within* tuentie four houris |
 yaireftir hamewardis to his fayeris duelling hous [Level 2/3] 3e be 3our sorcerie &
 witchcraft laid ane |
 heavie desease vpone him [Level 4/5] *quhair*throw the haill power of his left syde was
 taikin frome him In ye |
quhilk feirfull seiknes & deseis he remanit bedfast in greit dollour & payne the space of
 ane |
 3eir *quhair*by the haill substance of his bodie ran out at his cute [Level 2/3] of ye *quhilk*
 feirfull |
 seiknes & deseis sua laid vpone him by 3our sorcerie & witchcraft [Level 4/5] he
 deseissit & afoir his |
 daith left ye onlie caus of his seiknes & daithe vpone [Level 2/3] 3ow And sua be 3our
 sorcery |
 & witchcraft he was crewallie put to daith & mordreist be 3ow *quhilk* is nottourlie
 knawin and 3e cannot deny
 [Level 1]

‘And true it is that you, the said Agnes Finnie, expressly contrary to the said laws and acts of parliament, shaking off all fear of the almighty and omnipotent God, has these many years past by your sorcery and witchcraft laid on and taken off diverse horrible diseases and sicknesses on different persons, his Majesty’s good people and subjects. And namely by the space of eleven years past, you, having conceived a devilish hatred and evil will against William Fairlie, son to Mr William Fairlie, brother to the laird of Braid, for the time a boy of nineteen years of age. Because in his merriness he, coming to your door, was in use to call you ‘Anny Winnie’ by nickname, you therefore, out of your malicious mind, threatened and said to him you should make him go limping home. According to which devilish and malicious threatening the said William Fairlie passing your house door within twenty-four hours later homewards to his father’s dwelling house, you, by your sorcery and witchcraft, laid a heavy disease on him through which the whole power of his left side was taken from him. In which terrible sickness and disease he remained bedfast in great suffering and pain the space of a year whereby the whole substance of his body ran out at his ankle; of which terrible sickness and disease so laid on him by your sorcery and witchcraft he deceased and before his death left the only cause of his sickness and death upon you. And so, by your sorcery and witchcraft, he was cruelly put to death and murdered by you, which is openly known, and you cannot deny.’

(SJC, 1644-45, MS NRS JC2/8, p.391)

Switches from one discourse level to the next are indicated by level numbers in square brackets. The edited text for modern readers (Level 1) frames all other levels.¹¹⁰ On the next level, there is the indictment written by a scribe in 1644. This level is conflated with the reading out of the indictment in court (Level 2/3). Embedded in the indictment is a witness testimony recorded prior to the trial. The testimony can be dissected into further embedded levels: the clerk writing down (Level 4) what the deponent testified (Level 5) –

¹¹⁰ Smith (1974) edited the text in example (1) for his printed selection of JC cases. The example itself presents my manuscript-based transcript.

these two levels merge in the surviving manuscripts – and finally words uttered in an earlier utterance-event outside the courtroom (Level 6), which are reproduced in the deponent's account.

A comparison with a contemporary deposition copy¹¹¹ reveals that only fragments of the testimony were reused in the indictment. The testimony in example (1) is interspersed with legal formulae reflecting the structure and function of indictments. Evaluative comments such as *haveing consavit ane devillische heatret & evill will* are absent in the deposition, presumably because of their more objective purpose of gathering evidence. The judgments must have been added when composing the indictment to persuade the jury of the defendant's guilt. Additionally, third-person references to the defendant in the deposition are rendered as second-person pronouns in the indictment since the defendant was directly addressed in court. For example, the defendant's alleged curse in the deposition, *Schoe sould mak him goe halting hame*, is rendered as *ze sould mak him goe halting hame* in the indictment (SJC, 1644-45, MS NRS JC2/8, pp. 391, 417, emphasis mine).

Shifts between discourse levels are not as neat as annotated in example (1) above; they are complex and can blend into each other (Kytö et al., 2011: 39, Moore, 2002: 401). The lack of punctuation can make identifying start and end points of discourse levels difficult (Moore, 2002: 408). Early modern scribes did not mark shifts in discourse levels as we do with modern punctuation. The young William Fairlie's name-calling *Anny winnie* in example (1) is not marked off by inverted commas. Furthermore, the rewriting of court-records in the transmission process (see Section 7.4.1) adds another degree of uncertainty as to "whose language is actually recorded in the different levels of discourse" (Kytö et al., 2011: 38).

7.4.3. *Multiplicity of voices*

Embedded discourse levels thus highlight a related characteristic of court-records, that of multiple voices. For depositions, Kytö et al. (2011: 38) note: "Depositions represent not one voice, but that of the deponent, the scribe, as well as – perhaps more remotely – the voices of those in the discourses embedded in the deponent's testimony." This section discusses the challenge of identifying the various voices in court-records. Drawing on previ-

¹¹¹ For a transcript of the deposition see Smith (1974: 661-662).

ous research and my own observations, I will explain how speech is presented in court-records and assess the extent of intervention of the various parties in the recording process.

Kytö et al. (2011: 44-47) use Leech and Short's (2007: 255-281) terminology to describe the different modes of speech-presentation in depositions, which also apply to other court-records, i.e. direct speech, indirect speech, and narrative report of speech-acts. Direct speech is a verbatim citation of what someone said, without changing any of the words spoken. By comparison, indirect speech involves some scribal intervention, and as a result, a more distanced account of the utterance-event. There is no commitment in indirect speech to the accuracy of cited speech. Features can be changed as long as the main content of what was said is preserved. An indicator of indirect speech is the rendering of first- and second-person pronouns of direct speech in the third-person (Leech and Short, 2007: 255-257). An extract from the *St Andrews KS* minutes shows examples of direct and indirect speech, marked by the use of personal pronouns: *sche said to hir father ye dewill tak **3ow** away and said to hir | mother ye dewill stik **hir*** 'she said to her father: "The devil take you away" and to her mother the devil stab her' (*St Andrews KS*, 1595, MS CH2/316/1/1, p.504, emphasis mine). A narrative report of speech-acts (NRSA) is "more indirect than indirect speech" (Leech and Short, 2007: 259). One or more speech-acts are summarised without reporting even the gist of what someone said. Of the different speech-presentation modes, NRSA is most shaped by scribal intervention and most removed from the actual words in the previous utterance-event (Leech and Short, 2007: 260). In the following passage from the *Perth KS* (1587: 362, MS CH2/521/2, f.3v, emphasis mine), the scribe did not reproduce the words spoken, but encapsulated the reported speech-acts with a descriptive speech-act verb: *Comperit kathreine mckie for **flyting** vith Janet fowls [...]* 'Katherine Mackie appeared for flyting with Janet Fowls'.

Different modes of speech-presentation in depositions are not always distinct, similar to the blending of discourse levels (Moore, 2002: 401, Kytö et al., 2011: 45, Section 7.4.2). This observation also applies to speech-presentation in other court-records. Direct speech can be interspersed with legal register, which is less likely to have been used by speakers in previous utterance-events. In the deposition below (example (2)), the expression *carnal deal* was a typical legal formula for illicit sex, whereas *lay with* represented more everyday language (Gowing, 1996: 46). In this context, both expressions were put into the speaker's mouth:

- (2) ye said thomas *confessit*
yat vithin yir vj owkkis Johne scot & he being gange abowt ye
 feildis ye said Johne said to him *yir vordis* vill 3e pas ower to *edinburgh*
 before ye saidis *commissaris* & *yar* tak vpone 3ow & afferme *yat* 3e
 lay *vith* my vyff Jonet murray & had carnall daell *vith* hir 3e
 vill do me *gryt plesour quhilk* petition ye said thomas thinking
 maest vyld & vngodlie refusit ye same

‘The said Thomas confessed that within these six weeks as John Scot and he were going about the fields, the said John said to him these words: “Will you pass over to Edinburgh before the said commissaries and there take upon you and affirm that you lay with my wife Jonet Murray and had carnal deal with her? You will do me great pleasure,” which petition the said Thomas thinking most wild and ungodly refused the same.’

(*St Andrews KS*, 1579: 441-442, MS CH2/316/1/1: 278)

Although it is not impossible that the speaker knew the legal term *carnal deal*, it was probably added by the scribe to conform to court conventions of “defamatory speech” (Moore, 2002: 407). Furthermore, the testimony is rendered in indirect speech marked by the reporting clause *confessed that* and the third person, although it must have been given in the first person originally. Person references such as *the said Thomas* are legal formulae indicating scribal intervention (Gowing, 1996: 46). Scribal intervention can be “hardly visible” because we may not yet know about all conventions of early modern legal discourse (Gowing, 1996: 46).

Evidence of scribal intervention raises the question of the extent to which the actual wording of cited utterances was changed. Culpeper and Kytö (2000: 178) emphasise that “no transcription is an exact copy of the original spoken language, but a subjective interpretation”. Presumably clerks edited rather than simply recorded oral testimonies (Todd, 2002: 19). The accuracy of recording was affected by “the skill and motivation of the scribe” and by scribes’ biases towards certain parties in a suit (Kytö and Walker, 2003: 228, Todd, 2002: 17). Nonetheless, manipulation of evidence was only possible within certain limits (Todd, 2002: 19). Depositions were read back to deponents, and deponents often had to sign their testimonies. Thus, there was some control of accuracy, at least for the main contents (Todd, 2002: 19). Depositions of licensed scribes were endorsed by the court, which would increase their credibility (Kytö and Walker, 2003: 224-225). Additionally, records of words spoken in past events were crucial evidence in slander or witchcraft cases (Gowing, 1996: 46, Kytö and Walker, 2003: 228). However, rather than rendering reported utterance-events word-by-word, scribes tended to adapt original utterances to highlight standard elements of legal offence definitions (Moore, 2002: 407, 411).

Cited utterances are further subject to deliberate or unintentional misreporting by witnesses (Kytö and Walker, 2003: 228). Because of the interval between previous utterance-events and the act of giving testimony – in some cases two years or several decades (e.g. Gillon, 1953: 120, *PitcairnT*, 1610: 325-329) – people plausibly could not recall the exact words spoken. Hearsay was also accepted as evidence despite objections (Walker, 1958: 310). Moreover, Hope (1993: 386) argues that witnesses sometimes consciously distorted the language of previous utterances to present other parties in a bad light. Additionally, reported words might never have been spoken, but were made up for various reasons. For instance, the servant of Issobell Young, who was accused of witchcraft, said in defence of her mistress that rumours were told by people who resented Young (Gillon, 1953: 117).

Thus, the voices of people in surviving court-records are “mediated” (Todd, 2002: 19). Accounts can be far removed from original utterance-events, and reliability cannot be taken for granted. “Discerning the source of language input” is therefore not an easy task (Kytö et al., 2011: 47). Cited utterances in court-records could have up to five potential sources: “the alleged speaker”, the deponent, the scribe, the examiner or “where applicable, the creator of the articles/interrogatories” (Kytö et al., 2011: 53, 56). Kytö et al. (2011: 47-56) provide an insightful discussion of linguistic indicators of the sources of recorded speech and of remaining uncertainties.

The multiplicity of voices has implications for interpreting verbal offences in court-records. Even for verbal offences rendered in direct speech it cannot be taken for granted that citations reproduce the actual words spoken, although some level of accuracy can be expected. Regarding evaluations of verbal offences, the question is whose perception of offence has been recorded.¹¹² Given the extensive scribal editing, metalinguistic labels of verbal offences might mostly be part of the legal register and might hardly reflect ordinary people’s perceptions. The perspectives on verbal offences obtained from the data thus probably represent institutional views of the KS or JC rather than individual attitudes. Bearing this caveat in mind, the historical records nevertheless offer a window to period- and culture-specific understandings of social conduct and offence.

¹¹² The question of perspective is a general methodological concern in historical politeness research (Kádár and Haugh, 2013: 163).

7.5. The corpus of this study

This section introduces the data of this study. After discussing selection criteria, the sources from which texts have been selected are evaluated. Subsequently, the samples for criminal and ecclesiastical court-records are described in terms of size, time-span, record-types, case-types, and limitations of the primary material. Furthermore, I will comment on social stratification and gender in my data.

7.5.1. *Selection criteria*

The selection criteria for verbal offences in court-records are determined by the present research objectives and by the condition of surviving sources. Firstly, decisions are explained about exclusions/inclusions based on extra-linguistic factors such as region, language, and the availability of primary material. Secondly, selection criteria based on intra-linguistic aspects of communication modes and speech-presentation are covered.

In line with the focus on verbal offences (see Chapter 1), non-verbal offences, such as adultery or murder, are excluded from this study. However, if, for example, the records of a murder case contain cited verbal offences, those passages are still included. Conversations with supernatural interlocutors have been ignored since the present aim is to examine evidence of human interaction.

Concerning region and language, recorded verbal offences were selected from areas in which Scots was spoken as the first language from at least 1500 onward (see Chapter 1). The language boundaries in Macafee (2002: xlvii) were fluid rather than clear-cut; nevertheless, they provide a reference-point for data selection. Transition zones around boundaries had “a mixed and often bilingual population” (Macafee, 2002: xxxix). Additionally, Scots was supplanting Gaelic and Norn over time. Although Scots was the official language of government and administration in Gaelic- and Norn-speaking areas, the languages spoken by people in those regions for the investigated period were Gaelic and Norn respectively (Macafee, 2002: xxxix, xlvii-xlviii; Jones, 2002: 97). As a consequence, direct speech cited in court-records might have been translated from either Gaelic or Norn into Scots and was not originally in Scots. If speakers in cases situated in Gaelic- or Norn-speaking areas presumably had Scots as their first language, their utterances are included in the corpus of this study, e.g. Patrick Stewart, 2nd earl of Orkney, whose father and tutor

were Lowland Scotsmen (ODNB). Moreover, court-records in Latin or French have been excluded.

Some considerations are due concerning manuscript availability and repetition in the source texts. If no surviving manuscripts could be retrieved for edited texts, the texts were excluded from this investigation because their linguistic accuracy could not be verified. Furthermore, utterance-events can be recorded repeatedly, especially if several witnesses gave accounts on the same case or if depositions were reused in other records. Utterance-events were only selected once as they only occurred once and not as many times as recorded. Preference was given to what seemed to be the most complete and direct rendering of the words allegedly spoken in the past context. Metapragmatic comments on verbal offences and background information were collected from all available records on a case. Repeated metalinguistic labels differ from repeated renderings of verbal offences. Metalinguistic labels of verbal offences occur in different parts of a suit and perform different functions, e.g. introducing the charge, confirming the charge, etc. Therefore, it is justifiable to consider them as many times as they occur. Moreover, alternative accounts can shed further light on contexts and perceptions of verbal offences.

Regarding modes of communication, this study concentrates on evidence of spoken language in court-records and leaves aside written offences, e.g. a provocative lampoon, or omissions of expected verbal behaviour, e.g. concealment of conspiracies. (see *PitcairnT*, 1600: 256-261, 1618: 494-454, 582-590). If cases contained different modes of communication, only spoken offences were selected. Excluded cases are few and should be studied in their own right. Drawing the line between spoken and written language in historical texts can be difficult since the two modes can blend into each other (Section 1.5). Sampled verbal offences were originally or purportedly part of spoken conversations. In some cases, cited utterances may never have been made (Section 7.4.2). What matters in this investigation is that such utterances were reported to have been *spoken*, not *written*.

Furthermore, utterances in court-records are rendered in different modes of speech-presentation (see Section 7.4.3). This investigation concentrates on verbal offences that were rendered in direct or indirect speech rather than summarised as NRSA. In/direct citations of utterances permit a more in-depth examination of verbal offences and their perceptions. If verbal offences are only represented by a descriptive speech-act verb, e.g. *flyting*, without the words that were allegedly said, the records offer no insight into which words

were considered offensive (see Taavitsainen and Jucker, 2007: 113). Reasons for not recording past conversations in more detail can be various. Either utterances were recorded in depositions that were not attached to the surviving records, or a descriptive speech-act verb like *flyting* was probably already sufficient evidence for a suit. Moreover, utterances might have been deemed too offensive to be taken down in writing. For example, the unrecorded parts of John Downy's blasphemy were referred to as *mony uyeris Iniurous wordis odious to be hard or put in wreit* 'many other injurious words odious to be heard or put in writing' (*St Andrews KS*, 1582: 482, MS CH2/316/1/1, p.307). Summarised verbal offences can still be useful in future large-scale research on verbal offence metadiscourse and speech-acts; however, for current purposes, the focus is on cases which contain at least one cited verbal offence. Because of the fuzzy boundaries between modes of speech-presentation (Section 7.4.2), no attempt was made to draw a sharp line between indirect speech and NRSA when selecting data for this study. As long as a case contained at least a brief paraphrase of what was allegedly said in the previous utterance-event, it was included in the samples.

7.5.2. *The consulted editions*

Transcription quality of historical texts has become an increasing concern in historical linguistics (Dossena, 2012: 24, Kytö and Walker, 2006: 26-31, Kytö et al., 2011: 7-10, Lass, 2004). Therefore, the value of edited historical texts for linguistic research needs to be assessed. Within the limits of this project, it was not possible to compile an entirely manuscript-based corpus as the collection and transcription of manuscript data is time-consuming. Instead, texts were selected from available print editions and verified against surviving manuscripts. In what follows, I will briefly introduce the consulted editions and evaluate their reliability for linguistic research.

JC data were drawn from Pitcairn's (1833) *Criminal Trials in Scotland from 1488 to 1624* and Gillon's (1953) and Smith's (1972/74) volumes of *Selected Justiciary Cases, 1624-1650*. KS records were selected from four editions: the *Canongate KS*, 1564-1567 (Calderwood, 1961), the *St Andrews KS*, 1559-1600 (Fleming, 1889-90), the *Aberdeen KS*, 1562-1659 (Stuart, 1846), and the *Perth KS*, 1577-1590 (Todd, 2012). All of these editions were compiled with historical, rather than linguistic, research aims in mind.

Editorial principles of selecting and transcribing material vary across these editions. All the editors were faced with gaps in the manuscripts¹¹³ when collecting their material, yet some decided to include all records available for a specific period, while others only transcribed part of the surviving texts. Calderwood (1961), Fleming (1889-90) and Todd (2012) considered every KS record in the manuscripts within their chosen time-frame. Stuart (1846: lxiii-lxiv) only transcribed selected cases from the manuscript volumes of Aberdeen KS. The selection was intended to be representative of the society at the time and the range of cases handled by KS. Likewise, Pitcairn (1833 (I.i): v) did not aim at publishing a complete collection of existing court-records, but concentrated on “cases of historical importance, e.g. high treason” (Leitner, 2013: 109). In addition to transcripts of authentic court-records, he included illustrative documents from various other genres, e.g. letters, pamphlets, etc. Since the focus of this study is on court-records, those additional texts have been ignored unless they were official documents used in court-proceedings (see Section 7.5.3). Pitcairn’s (1833) selection principles were followed by Gillon (1953: 1) and Smith (1972: i); however, their editions are restricted to records from the JC Books of Adjournal. The editions of Scottish criminal court-records thus tend to give more weight to famous and fascinating cases at the expense of providing “a full or representative view of the general run of criminal cases in the period” (Walker, 1995: 6).

Most linguistic features of the historical texts have been preserved in the editing process, yet some changes were made. Late Middle Scottish spellings have been faithfully reproduced in all consulted editions, except for modernised punctuation and capitalisation. Lineation has been altered. Latin formulae are generally retained in all editions. It went beyond the scope of this study to measure precisely the degree of erroneous transcriptions and editorial omissions, but several crosschecks have been conducted. Occasional errors in transcribing single words or phrases have been observed.¹¹⁴ In her study of *thou* and *ye/you* in Late Middle Scottish depositions, Leitner (2013: 107) reports several inaccurate transcriptions of second-person pronouns in the *PitcairnT* and *St Andrews KS*. All editions omit passages from manuscripts, although the omissions are different in kind and extent. Omissions in Calderwood’s (1961) and Todd’s (2012) editions are limited to marginalia. Fleming (1889-90), Gillon (1953), Smith (1972) and Stuart (1846) occasionally omit larger parts of cases. Omissions tend to be indicated and were presumably made to exclude mate-

¹¹³ See, for instance, Todd (2012: 4) for gaps in KS manuscripts, and Pitcairn’s (1833, I.i: 407, 477, I.ii: 357) notes on the loss of criminal court-records.

¹¹⁴ For example, in an *Aberdeen KS* case, the phrase *of ye said sclander* has been omitted by Stuart (1846: 73), and instead replaced by a repetition of the phrase *to mak ane publict amendis* (MS CH2/448/3, p.20).

rial that was seen as repetitive or otherwise superfluous.¹¹⁵ Fleming (1889) also censured taboo language.¹¹⁶ Pitcairn's (1833) edition is the least reliable. He seems to have had no consistent or clear convention for indicating omissions. Missing passages from the original texts tend to be short and probably, from the editor's perspective, did not add any important information to cases. Moreover, the order of trial sections has been rearranged in several cases without any acknowledgment of editorial changes. Presumably, alterations should reproduce the order of sections in courtroom-proceedings, for example, putting the indictment before debate sequences of prosecution and defence. Nevertheless, the editorial changes distort evidence of the original production process of court-books.

In sum, the consulted editions are judged as not fully reliable for linguistic research. Future research is needed to produce linguistically faithful editions for Scottish court-records, following, for example, the editorial standards of Kytö et al. (2011) for ETED. For current purposes, manuscript checks have been made to ensure that interpretations are not flawed by any inaccuracies in print editions.

7.5.3. *Justice Court samples*

The JC sub-corpus consists of 28 cases. Table 7.1 below shows the time-span, case-types, record-types, and the number of cases for each sample (for more details on the selected material see Appendix 2). Each of these aspects is discussed below.

The *PitcairnT* cover the period until the death of James VI. SJC volumes span the reign of Charles I. As a result of the Civil War and the abolition of monarchy, JC jurisdiction ceased in 1650 and was only re-established eleven years later (Smith, 1972: lxii). Arguably, material which covers almost 90 years is subject to diachronic changes. For example, the verbal offence metadiscourse around 1560 might be different from expressions used by the mid-17th century. However, the small number of cases before 1600 does not permit diachronic comparisons (see Appendix 2).¹¹⁷

¹¹⁵ Fleming (1889: 200-201), for instance, indicates that he omitted parts of subsequent summons that were almost identical in wording with the first summons in that case.

¹¹⁶ For example, he did not reproduce a blasphemous expression in the *St Andrews KS*, because he judged it as "very coarse" (Fleming, 1889: 482).

¹¹⁷ In the light of historical events it would be reasonable to divide the period around 1600, e.g. the Union of Crowns in 1603 and the publication of James VI's *Daemonologie* in 1597, which is acknowledged as influential for witchcraft prosecution (Walker, 1995: 478).

Table 7.1: The JC sub-corpus of this study (raw figures for case-types and record-types in brackets)

Sample	Time-span	Case-type	Record-type	Total cases
<i>PitcairnT</i>	1561-1623	High treason (4) Murder under trust (2) Sedition/riot (2) Treason (5) Witchcraft (5)	Process minutes general (6 cases) Prosecution process (3 cases) Defence process (2 cases) Self-defence process (1 case) Jury verdict (5 cases) Sentence (7 cases) Indictment: – JC (7) – PC (1) Interrogatory: – PBC (1) Depositions: – PBC (16) – JC (9) – JC/PC (5) – KS (1) – Parliament/PC (1) – PC (5) Summons PC (1) Supplication (1) Warrant (1)	18
SJC	1629-1649	Hamesucken (assault) (1) Sedition/leasing-making (2) Slaughter (1) Witchcraft (6)	Process minutes general (5 cases) Prosecution process (6 cases) Defence process (4 cases) Self-defence (2 cases) Jury verdict (4) Sentence (5 cases) Indictment: – JC (9) Depositions: – KS (9) – PC (2) Supplication (1) Verdict Parliament (1)	10
Total cases				28

The JC sub-corpus comprises seven case-types. Treason in pre-1707 Scots Law was defined as “offences against the person of the monarch and the security of the Kingdom” (Smith, 1958: 41). The distinction between high treason and common treason was one of degree. The 1584 Treason Act defined any verbal offence against the monarch as treason (Walker, 1995: 282). Verbal aspects of high treason pertained to plotting the monarch’s death or deposition, whereas verbal offences judged as common treason were uttered

against the monarch, but not “against his [or her] life” (Alison, 1989 [1832]: 596-604). High treason was usually tried before the parliament and punished by beheading and forfeiture (Smith, 1972: xxxiv, Walker, 1995: 438-439). From a present-day perspective, punishments for minor treasonable offences were disproportionately harsh, e.g. death by hanging or public scourging and banishment (Pitcairn, 1833 (III): 359).

Sedition, riot and leasing-making are closely related terms referring to criminal acts of instigating others to overthrow established authorities. Leasing-making – or “verbal sedition” (OED) – “was the uttering of calumny against the king, or engendering of discord between king and people” (Walker, 1995: 466). Riot includes the use of weapons.

Murder under trust and hamesucken are violent crimes against persons. Murder under trust was a serious form of murder, overlapping with the legal definition of treason (Smith, 1958: 41, Smith and MacDonald, 1958: 291). The victim was under the trust and power of the accused. John, 9th lord Maxwell, for instance, was tried for killing Sir James Johnstone in a meeting arranged for reconciliation between the two enemies (*PitcairnT*, 1608-09: 43-47). Hamesucken is a Scottish legal term for invading someone’s dwelling place with the intention of physically attacking that person (Alison, 1989 [1832]: 199).

Witchcraft prosecution in Europe began in the early modern period although belief in witchcraft had existed for centuries. In Scotland, witchcraft became a crime by the Witchcraft Act of 1563 (Walker, 1995: 477-478). Legal procedures were closer to those found on the European continent than to English witchcraft prosecution (Graham, 1996: 299). The legal definition of witchcraft centred on the pact with the devil, i.e. the renouncing of Christian faith and surrender to the devil. In return alleged witches received the devil’s mark, a visual sign for the pact, and supernatural powers, which they could use to harm others (Walker, 1995: 478). Witchcraft was an offence against God (Graham, 1996: 308). Indictments in witchcraft cases commonly began with a definition of witchcraft derived from the Bible. Common targets of witchcraft accusations were socially marginalised, poor, elderly women; however, not all of the accused conform to this stereotype (Smith, 1974: 627).¹¹⁸ The standard trigger for witchcraft cases was a quarrel between the alleged witch and victim, usually over everyday matters of food or money (Whyte, 1995: 227). Initial investigations in witchcraft cases could be made by KS, but historians disagree as to

¹¹⁸ The JC sub-corpus also includes examples of higher-rank women and male defendants.

the number of cases first heard at KS (Graham, 1996: 96-97). Condemned witches were strangled and burnt (Walker, 1995: 439).

The frequency of case-types is influenced by the importance of speech-related evidence (see Section 7.4.3). Witchcraft is prominent because reported utterance-events were pivotal in legal proceedings (see Culpeper and Kytö, 2000: 178). Various crimes against monarch or state, i.e. treason, sedition and other verbal offences against the king, account for almost half of the cases. The prosecution of such crimes could hinge on physical acts as well as on spoken words, or on words only. Examples of verbal attacks in crimes of violence are few, presumably because the recording of evidence was focused on the physical acts of wounding or killing someone.

This study considers the various stages of trials. Table 7.1 lists the record-types in which cited utterance-events and/or verbal offence metadiscourse were found. All record-types were part of JC proceedings; however, not all records would be issued by the JC (see Section 7.3.1). Depositions in Agnes Finnie's witchcraft trial, for instance, were taken by the South West KS of Edinburgh and later submitted to the JC (Smith, 1974: 628). Records from other courts were copied into JC books or at least read out during trial-proceedings, and thus integrated into the JC legal discourse. Scottish courtroom-proceedings in the investigated period were recorded in minutes. Unlike EModE trial-proceedings (e.g. Archer, 2007, Cecconi, 2012), they do not give access to courtroom dialogue.

Record-length varies greatly across time, case-types and record-types. Court-book entries at the beginning of the investigated period tend to be shorter than in later years. Overall, cases involving higher-ranking defendants or witchcraft are more elaborate. Regarding record-types, indictments can be very long whereas general process minutes and closing sections, i.e. jury verdicts and sentences, are mostly succinct. Process papers such as summonses and warrants are rather short. Depositions can be elaborate in famous cases. Prosecution and defence sections vary from brief turns to more protracted sequences. Differences in record-length can affect the range and frequency of metalinguistic labels for verbal offences. The caveat is taken into account in interpretations of findings for both court-types (see Chapter 8).

Most metalinguistic labels and cited utterances were found in indictments and depositions. Indictments appear in two forms: with direct address, as in example (1) above, or rendered

in the third person. Indictments and depositions were first written out as separate documents. In JC editions, indictments are based on court-book copies. Some depositions in the JC sub-corpus are copied into court-books; others survive as separate copies.

Apart from depositions, process papers relating to trial stages other than courtroom-proceedings are rare in the JC editions (see Appendix 2). Evaluations of offences in those papers represent different voices. The only interrogatory might have been drafted by crown representatives or Perth burgh court officials (*PitcairnT*, 1600: 192-194). Supplications, i.e. formal requests addressed to authorities (OED), include one example made by a defendant to the king and one by prosecutors to the parliament. Summonses and warrants were issued by royal scribes on behalf of monarchs. Like depositions, these infrequent process papers were drafted as separate copies. Apart from the interrogatory, which survives as a burgh court document, copies of supplications, summonses and warrants in the JC sub-corpus are found in court-books.

7.5.4. *Kirk Session samples*

The KS sub-corpus consists of 62 cases selected from four parishes: St Andrews, Canongate, Perth and Aberdeen. Table 7.2 below shows the time-span, case-types, record-types, and the number of cases for each sample (see Appendix 2 for more details). Each of these aspects is discussed below.

Concerning size and time-span, St Andrews is “[t]he earliest surviving kirk session register”, beginning in October 1559, and is also “the most complete” for the 16th century (Graham, 1996: 77). Probably due to this comprehensiveness, the *St Andrews KS* yielded the largest sample of verbal offences for this study. There seem to be no extant records of the *Canongate KS* prior to the first and following the last entry in Calderwood’s (1961: 3) edition, which explains the short time-span for verbal offences drawn from this source (Graham, 1996: 105). Apart from some fragments, *Perth KS* books survive from 1577 onwards (Todd, 2012: 4). Verbal offences in these records tend to be rendered as NRSA (see Section 7.4.2). The two cases sampled for this study are the only records that were found in Todd’s (2012) edition which provide enough details on utterance-events. Aberdeen session books begin in 1562 (Todd, 2012: 4, fn6); however, no suitable data for this study was found before 1600. The *Aberdeen KS* sample represents the second largest sample in the KS sub-corpus. It is the only sample after 1600. Hence, no diachronic comparisons are

made for verbal offences because findings might be influenced by regional conditions rather than changes over time.

Table 7.2: The KS sub-corpus of this study (raw figures for case-types and record-types in brackets)

Sample	Time-span	Case-type	Record-type	Total cases
St Andrews	1560-1597	Blasphemy (3) Cursing (1) Domestic abuse: – Domestic abuse only (1) – Mixed with adultery (1) Illegitimate childbirth (1) Marriage contract (1) Religious dissent/papistry (2) Slander: – Religion (1) – Sexual immorality (6) – Witchcraft (2) Verbal offence against authority: – Against church (1) – Against KS members (9) – Against church & KS (1)	Process minutes (25 cases) Petition (1) Summons (2) Depositions (6) Supplication (1) Confession (2) Monition (3) Verdict (21) Penance instructions (14)	30
Canongate	1564-1567	Injurious words (1) Religious dissent/papistry (1) Slander: – Sexual immorality (6) – Theft (2) Verbal offence against authority: – Against KS members (1)	Process minutes (11 cases) Verdict (10) Penance instructions (9)	11
Perth	1584-1586	Slander: – Theft (1) Verbal offence against authority: – Against KS members (1)	Process minutes (1 case) Deposition (1) Verdict (1)	2
Aberdeen	1603-1657	Cursing (1) Injurious words/actions (1) Religious dissent/papistry (3) Slander: – Child murder (1) – Witchcraft (10) Verbal offence against authority: – Against civil authority (1) – Against KS members (2)	Process minutes (15 cases) Depositions (2) Confession (1) Verdict (16) Penance instructions (10)	19
Total cases				62

The KS sub-corpus consists of nine case-types (Table 7.2). Slander is further subdivided into false accusations of sexual immorality, witchcraft, theft, child murder and religious hypocrisy. Verbal offences against institutional authorities consist of offences against civil authorities, against the church or against KS members. Most frequent case-types are slan-

der, especially for sexual immorality and witchcraft, and religious offences, i.e. blasphemy, religious dissent or verbal offences against the church or KS members. Papistry is a common term for Catholic resistance to the new Protestant faith in the post-Reformation period (e.g. Fleming, 1889-90: xviii). The high number of religious offences shows that critical or disparaging comments made against the Reformed Kirk were taken seriously. Although church leaders at the time requested the death penalty for blasphemy, the Scottish Parliament never approved it. Death sentences were legally enacted for adultery and witchcraft. Whereas death penalties were common for witchcraft, legal practices for adultery seem to have been limited to imprisonment unless it was notorious (Graham, 1996: 47, 50, Smith, 1972: xliii). Sexuality and marriage were major concerns for all KS, yet the frequency of defamation cases varies across parishes (Graham, 1996: 87, 100, 280). Sexual slander had a higher proportion in Canongate than in St Andrews. Since Canongate was home to “a notorious red light district”, it is plausible that people in that parish were more sensitive to sexual slander (Graham, 1996: 288). Moreover, the varying importance of offences across parishes was influenced by ministers and their priorities (Graham, 1996: 210). A higher frequency of slander in Canongate, for instance, does not necessarily mean that the community was more slanderous than in St Andrews. Witchcraft cases are absent from the KS sub-corpus. They are generally rare in KS records (Graham, 1996: 299). Witchcraft slander, however, appears to have been more common, especially in Aberdeen. The motivation behind witchcraft slander was mainly “ill-will” against neighbours rather than complaints about actual witchcraft practices (Stuart, 1846: xxxiii). Because of the impending death penalty, victims of witchcraft slander had to seek KS intervention. In cases sampled for this study, plaintiffs were successful in having slanderers convicted and having their own reputation cleared. Slanderers thus made rods for their own backs as they were convicted for disseminating unsubstantiated accusations (Stuart, 1846: xxxiii).

The *St Andrews* KS sample also includes some cases involving the superintendent. Superintendents were “reformed bishops” appointed by the Privy Council (Walker, 1995: 272). They were set over regions consisting of about hundred parishes. Superintendents oversaw churches and ministers and held ecclesiastical jurisdiction beyond KS authority (Walker, 1995: 272). The superintendents’ roles were taken over by presbyteries in 1581 (Walker, 1995: 291). John Winram, superintendent over the wider district of Fife, Fothrik and Strathearn, had to act as judge in suits submitted to him from neighbouring parishes (e.g. *St Andrews* KS, 1561: 63-71, 104-111). In district cases, verdicts were passed in Winram’s name. However, the KS acted as his council and could also be authorised to act on his be-

half if he was absent (Fleming, 1889-90: xxviii). Because of this close cooperation, those cases have been considered as part of the *St Andrews KS*.

Record-length can vary considerably across cases and parishes. The *St Andrews* and *Aberdeen KS* samples contain a few elaborate cases, albeit most cases are fairly succinct. Records drawn from *Canongate* and *Perth KS* are brief. In comparison with the JC sub-corpus, KS cases tend to be much shorter. A higher number was therefore collected for comparing the two court-types. As for JC data, differences in record-length have been considered when interpreting findings.

Predominant record-types in the KS sub-corpus are process minutes, verdicts, and penance instructions. Process minutes contain the minutes taken during KS proceedings. Verdicts and penance instructions were also part of those minutes, as were monitions and confessions. However, they are distinguished as separate record-types to conduct distribution analyses of lexical items (see Chapter 8). Penance instructions specified where offenders' repentance had to take place, which ritual acts they had to perform, e.g. confess the offence, ask for forgiveness, etc., and sometimes prescribed precise wordings for those acts (see example (12) in Chapter 8). Monitions were a less public form of discipline than penance rituals: offenders were admonished by the minister in front of the KS, without any of the typical penance acts.

Other process papers are less frequent in the samples (Table 7.2). Petitions were submitted by parishioners who sought assistance from KS. Legal formulae in petitions suggest that legal professionals composed them on behalf of litigants (Walker, 1995: 298). The only supplication in the KS sub-corpus was issued by the *St Andrews KS* and contained a formal request to the civil authorities for assistance in a lawsuit (*St Andrews KS*, 1564: 195-196). Petitions, summonses, depositions and supplications were written out as separate documents and later copied into the minutes. Copying practices vary across parishes. *St Andrews* scribes included separate process papers more often in their minutes, while copies are rare or absent in the samples of *Aberdeen* and *Canongate*.

7.5.5. *Social stratification and gender*

As this study is qualitative, quantitative representativeness of social ranks and gender was not a high priority for data collection. Nonetheless, a fair number of lower-rank partici-

pants was desirable, since court-records were taken as a complementary source to letters and their upper-rank interlocutors (Section 1.5). Commoners are well represented in both court-types, better than middle-rank participants and non-commoners (Table 7.3 below). Low figures for non-commoners in KS samples are explained by the upper-rank people's privileges to be tried by a judicial body of equal or higher standing, a requirement which KS did not fulfil (Graham, 1996: 265). Upper commoners are more frequent than lower commoners. Sources do not always give sufficient evidence to decide if commoners belonged to the upper or lower range. Moreover, there are no social status details on a substantial number of participants. In the KS sub-corpus, the figure for unknown social status amounts to almost 50 per cent. The shortage of social background information is mentioned in other studies on early modern court-records (e.g. Walker, 2007: 23).

Table 7.3: Social stratification in the JC/KS sub-corpora. Figures pertain to speakers, addressees and targets of verbal offences

Social rank	JC	KS
Non-commoners	30 (25%)	5 (4%)
Middling	16 (13%)	17 (12%)
Commoners	52 (43%)	49 (35%)
Upper commoners	24 (46%)	25 (51%)
Lower commoners	16 (31%)	11 (22%)
Uncertain commoners	12 (23%)	13 (27%)
Unknown	22 (18%)	67 (49%)
Total	120 (100%)	138 (100%)

Regarding gender, KS records are good sources for female interlocutors because church-courts were sought by women to defend their reputation (Gowing, 1996). In KS samples of this study, women account for more than 40 per cent (Table 7.4). Their under-representation in JC cases matches overall gender patterns at the highest Scottish criminal court. Except for witchcraft cases, female defendants were rare (Walker, 1995: 460). Crimes against the state and violence tend to involve male participants.

As shown in Tables 7.3 and 7.4, the representation of social ranks and gender is not balanced, which is, however, less important for current purposes. The present investigations focus more on how people talked about offences than on offensive utterances. Because of the mediation of cited utterance-events in court-records (see Section 7.4), the metadiscourse on verbal offences mostly represents the language of court-officials. Access to perceptions of people outside the courtroom would remain limited even in a more socially balanced corpus.

Table 7.4: Gender in the JC/KS sub-corpora. Figures pertain to speakers, addressees and targets of verbal offences

Social rank	JC	KS
Male	90 (75%)	79 (57%)
Female	30 (25%)	59 (43%)
Total	120 (100%)	138 (100%)

7.6. Summary

Court-records are one of the major genres studied in historical pragmatics (see Jucker and Taavitsainen, 2010). By investigating Scottish court-records, this study considers material that has received little attention from historical pragmaticists.

Criminal and ecclesiastical jurisdiction was distinct but simultaneously interconnected in the early modern Scottish legal system. As a result of the recording and transmission process, spoken language preserved in court-records has been removed from original face-to-face conversations through various stages of mediation. Scribes played a major role in shaping the language of legal evidence. When selecting primary sources of this study, several extra- and intra-linguistic factors were taken into account. The linguistic faithfulness of consulted print editions was found to be flawed by varying degrees of editorial alterations.

Categorising verbal offences in historical court-records requires a data-sensitive methodology. In Chapter 8, the language of verbal offences reconstructed from JC and KS samples will be mapped semantically and pragmatically by using the HTOED and Jucker and

Taavitsainen's (2000) pragmatic space (see Chapter 3). Chapter 9 will concentrate on individual and collective dimensions of face and private-public dimensions of conflicts brought before law-courts.

8

Slander, threats and verbal aggression in Scottish court-records

8.1. Introduction

This chapter aims to reconstruct the language of verbal offences in Scottish court-records between 1560 and 1660. Which terms are used in lawsuits to judge verbal offences? What do they reveal about period-specific notions of offensive language use? How do verbal offences relate to concepts of face₁ and social rights/obligations (see Culpeper, 2011a)?

JC and KS records are analysed separately to permit comparisons between the court-types. Because of their different roles in the legal system (see Chapter 7), it is anticipated that criminal and ecclesiastical court-records show largely different inventories of metalinguistic labels of verbal offences. Still, some shared vocabulary is likely due to the overlap in jurisdiction (see Chapter 7). Calvinism not only underpinned the creed of Scottish post-Reformation KS, but also heavily influenced Scots criminal law after 1560 (see Kennedy, 2012). Hence, the metadiscourse on verbal offences is expected to have religious and moral qualities in both court-types. Moreover, the overall formulaic nature of legal discourse is anticipated to be reflected in terms of verbal offences (Graham, 1996: 74, Kopaczzyk, 2013, Todd, 2002: 19).

Criminal and ecclesiastical court-records are compared with respect to the range and distribution of verbal offence labels, by applying the methods and concepts discussed in Chapters 3 and 7. After presenting overall findings, metalinguistic labels of verbal offences are approached from different angles. Collocation patterns are examined for the most common terms in the JC and KS sub-corpora. Furthermore, variation in the usage of verbal offence terms is investigated across speech-acts, record-types and parishes. Subsequently, verbal offence labels are linked to concepts of face₁ and social rights/obligations. Additionally, findings for court-records are compared with conflict-letters (Chapters 5-6) and metadiscourse analyses developed by other researchers.

8.2. Conceptual mapping of verbal offences

Figures 8.1-4 below present overviews of metalinguistic labels of verbal offences in the JC and KS sub-corpora, following the structuring principles outlined in Section 3.4. Space did

not allow for mapping all labels attested in one court-type on a single page. Attempts have been made to render close links between categories and divide them from more distant categories. Still, some cross-links are lost in the division; for example, divine law is closely connected to categories of authority and religion.

In total, the JC sub-corpus contains 115 different labels with 698 overall occurrences. The KS sub-corpus yielded 68 different labels and a total sum of 308 instances. Numerous low-frequency items in both sub-corpora, i.e. labels occurring less than five times, suggest that both court-types had fairly wide repertoires of verbal offence terms. As underlined items in Figures 8.1-4 show, the JC and KS shared some legal terms for verbal offences. Nonetheless, metalinguistic labels are mostly distinct between the two courts. The greater variation of labels in the JC sub-corpus might be caused by several factors. JC suits tend to be longer than KS records; hence, fewer JC cases yield a larger amount of data (Section 7.5). Moreover, different voices are potentially more distinct in JC cases. KS minutes by and large represent the collective voice of the session, mediated by the scribe. Depositions are only infrequently copied into minute-books (Section 7.5.4). Many JC cases consist of an indictment, a jury verdict and a sentence, thus representing the voices of prosecution, jury and judge. Some JC suits record debates between prosecution and defence. Additionally, the JC sub-corpus contains more depositions. Arguably, the voices of witnesses, prosecution, defence, jury and judges were all mediated by scribes, which might suppress individual lexical choices. However, JC records were issued by different sources, in particular depositions and other separate process papers (see Section 7.5.3), which increases the number of scribes involved in the recording process.

The two sub-corpora overlap in their major semantic fields. Breach of morals is the largest category in JC and KS records, with respect to the range of labels and the number of total occurrences. In JC records, several of the more common labels express a sense of moral evil, e.g. *wicked*, or violations of moral norms of being truthful, e.g. *lie*, thereby incurring moral offences of *calumny* and *slander*. The category of verbal offences against authorities comprises the second major field in KS records. It is also important in the JC sub-corpus, but outnumbered in label range and total occurrences by speech involving physical harm. The category of authority captures situational as well as semantic aspects of verbal offences. The KS often prosecuted parishioners who rebelled against the authority of the Reformed Kirk, while the JC dealt with crimes against the monarch and government (Section 7.5). All labels relating to contempt in the KS sub-corpus occur in contexts of defiance

against the church and civil authorities. In some JC suits, targets of contempt did not hold a position of authority over offenders. These situations are categorised separately (Figure 8.2).

Both sub-corpora contain relatively few metalinguistic labels of the religious domain, even when including contextual overlaps with the category of authority, e.g. *irreverence* shown against God and his church. The religious dimension in KS records is more evident in the frequency of individual labels. *Blasphemy*, which is attested in both sub-corpora with more than 10 occurrences, conveys an understanding of attacking God's holiness and those persons and things consecrated to him (OED). Other high-frequency labels of the religious domain are *ungodly* in the KS sub-corpus and *devilish* in JC records. The contrasting prevalence and absence of these two items in the two sub-corpora suggests different religious emphases when evaluating verbal offences. *Ungodly* behaviour deviated from Protestant ideals of godly communities, and was judged as disobedience towards God's laws (Graham, 1996). *Devilish* expresses a higher level of moral evil through associating the condemned behaviour with the infernal. It was mostly employed to stress alleged witches' consorting with the devil (see Section 7.5.3), but occasionally appears in other case-types. John Stewart's alleged leasing-making against the 8th earl of Argyll was denounced by prosecutors as *your devillische and monstrowus plottis and hellische de | vyces* 'your devilish and monstrous plots and hellish devices' (SJC, 1641: 430, MS NRS JC2/8, p.138).

The frequency of individual labels deserves further examination. Only six of the 68 metalinguistic labels in the KS sub-corpus occur 10 or more times (9 per cent). With 73 occurrences, *slander* – in its various lexical forms – is the most common verbal offence label in KS records. It is followed by *offence* (38), *injury*¹¹⁹ (25), *contempt* (13), *ungodly* (13), and *blasphemy* (12). *Ungodly* is the only high-frequency label not representing a lexical cluster.

In the JC sub-corpus, the number of metalinguistic labels with a frequency above 10 is higher than in KS records (19 out of 115 labels, or 17 per cent). Six high-frequency labels are selected for comparison with KS results. The selection is based on overall occurrences and label distribution across three or more cases. Some of the most frequent labels, i.e.

¹¹⁹ *Injury* is categorised as harmful speech to emphasise the metaphorical extension of bodily injuries to language use. Its close position to the category of damage to reputation indicates multiple meanings in the HTOED and in occurrences of *injury* in KS records.

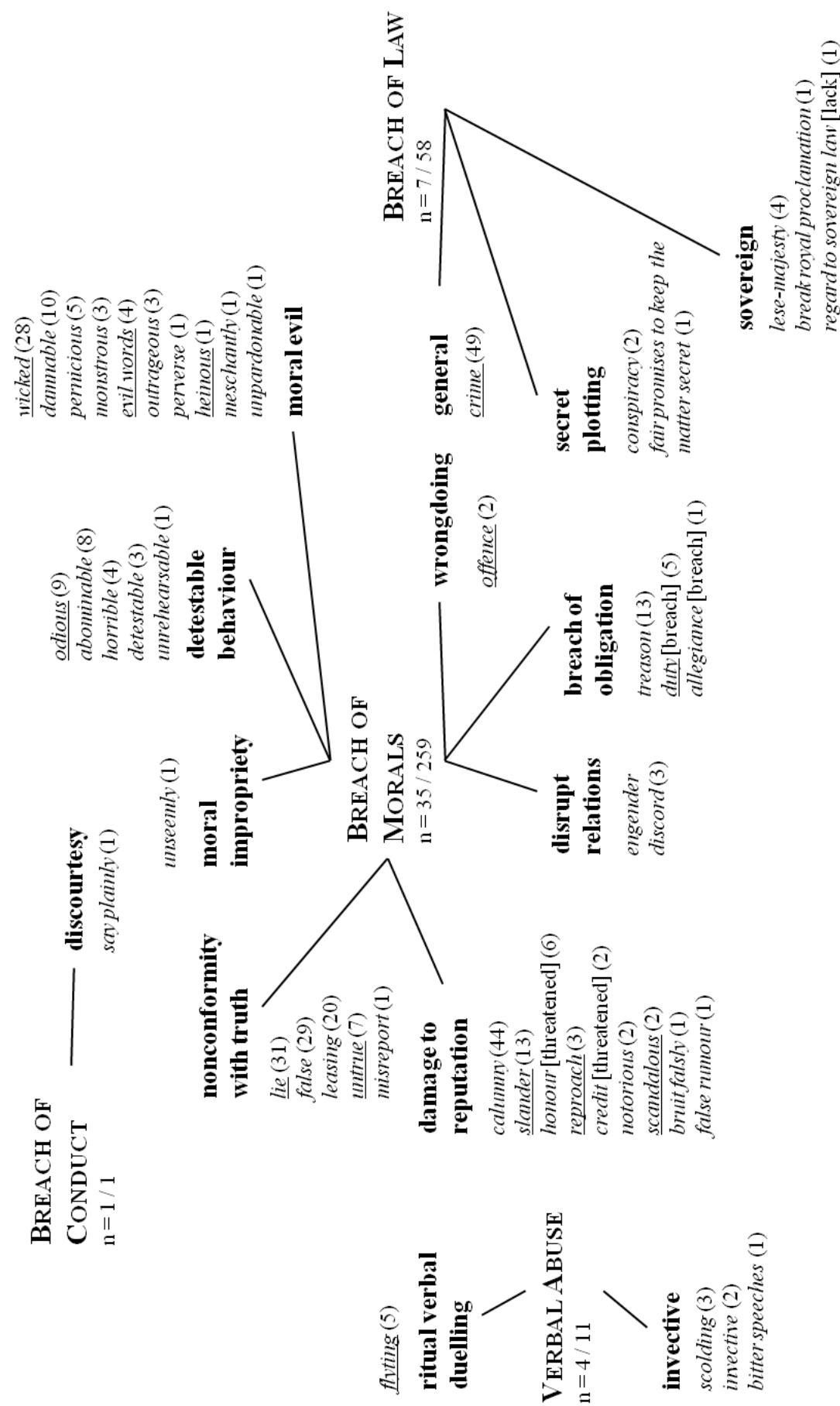


Figure 8.1: Metalinguistic labels of verbal offences in JC records, 1560-1660 (part 1)

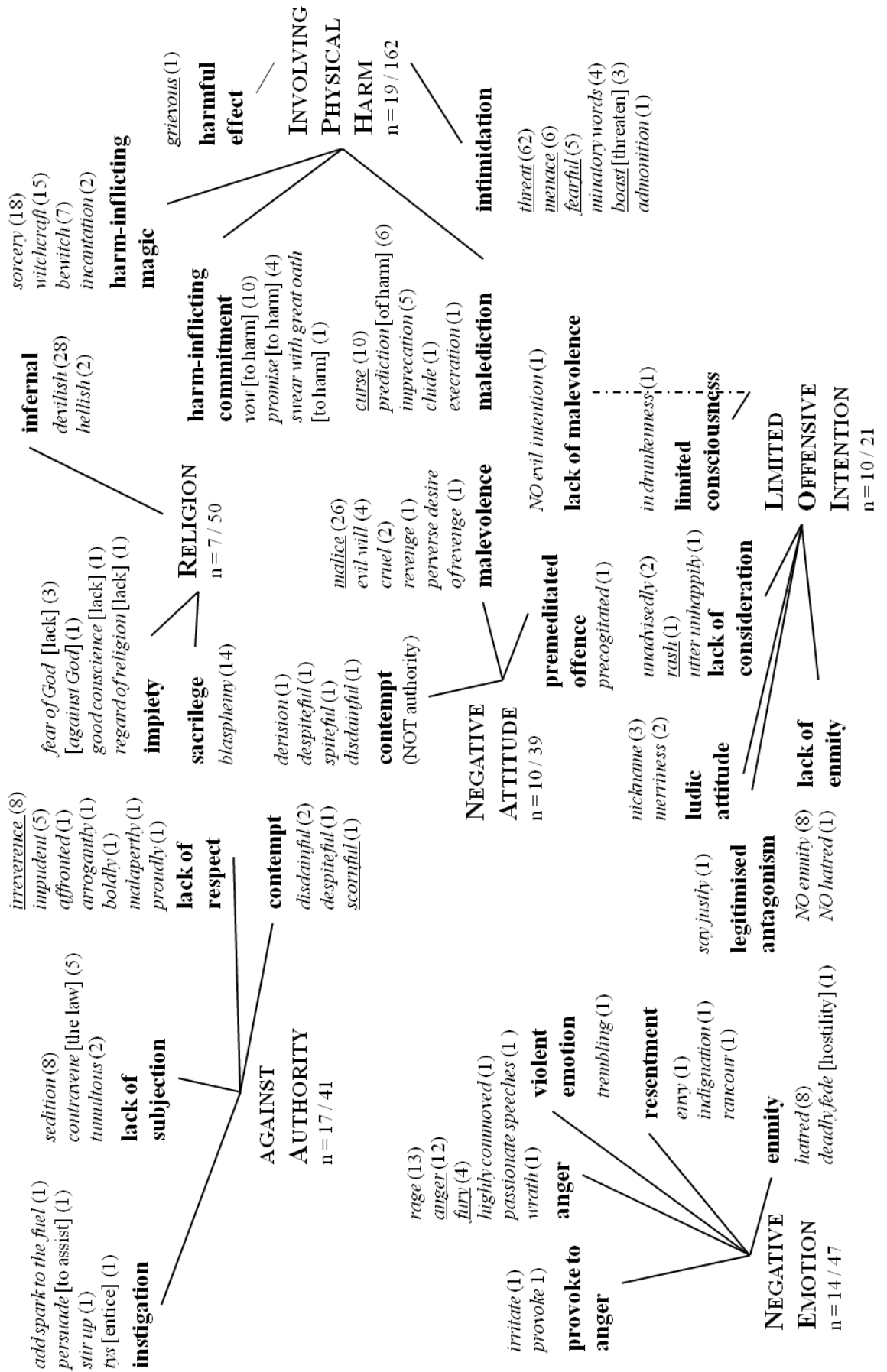


Figure 8.2: Metalinguistic labels of verbal offences in JC records, 1560-1660 (part 2)

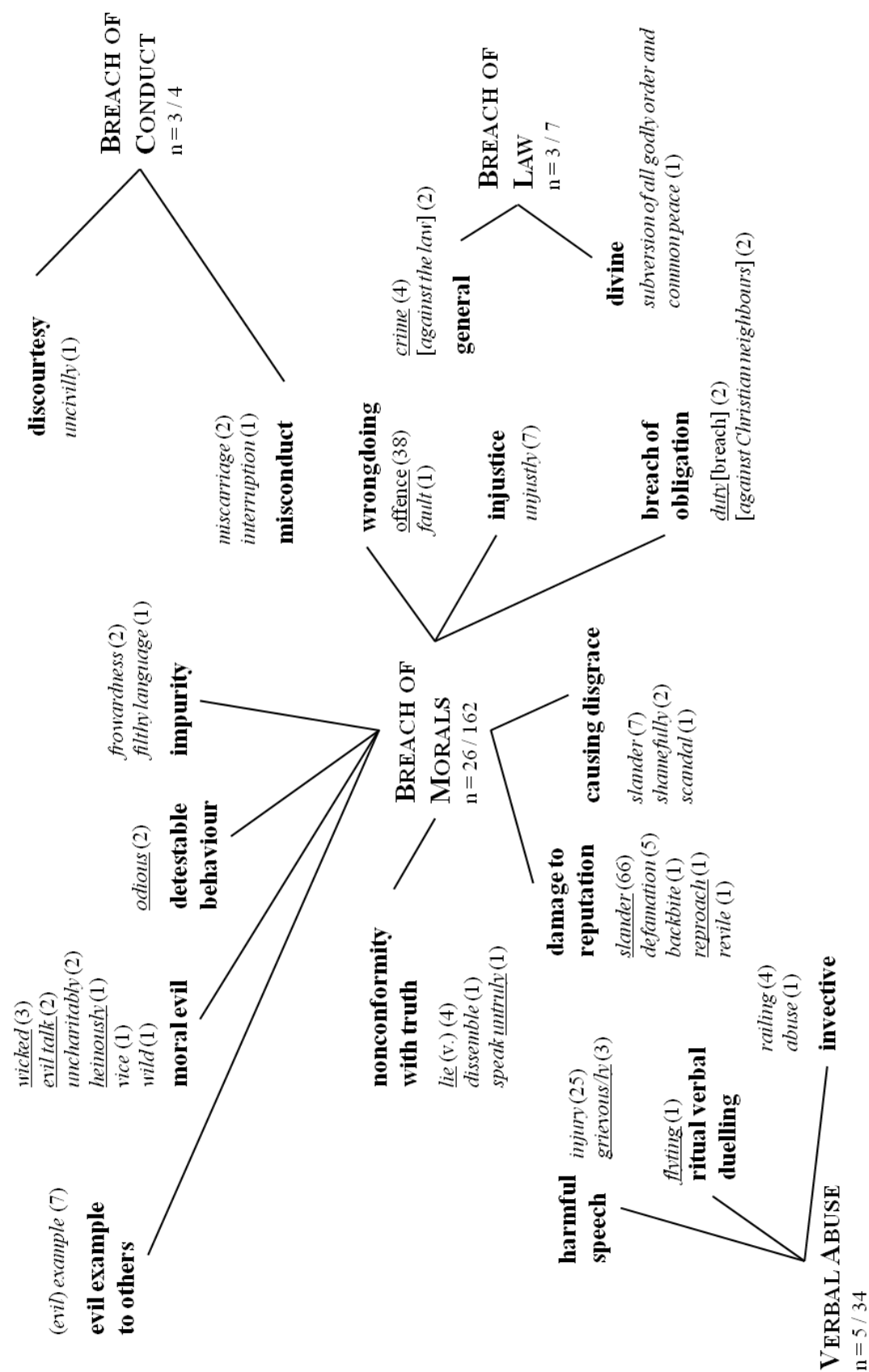


Figure 8.3: Metalinguistic labels of verbal offences in KS records, 1560-1660 (part 1)

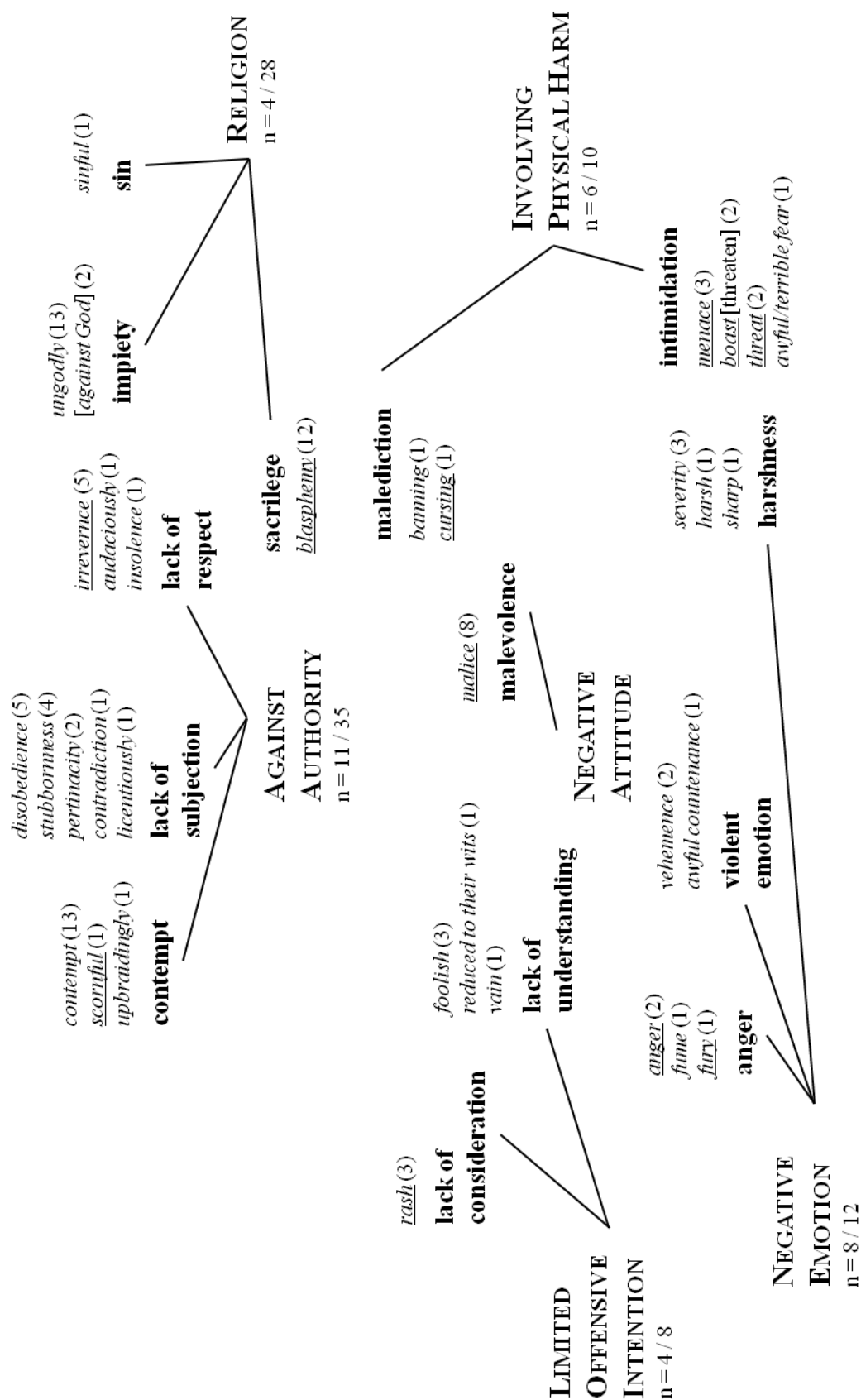


Figure 8.4: Metalinguistic labels of verbal offences in KS records, 1560-1660 (part 2)

false, *leasing*, and *lie*, are restricted to two cases and thus might represent an idiosyncrasy of repetitive rhetoric. The selected high-frequency labels are as follows, in decreasing frequency: *threat* (62), *crime* (49), *calumny* (44), *devilish* (28), *wicked* (28), and *sorcery* (18). Except for *crime* and *sorcery* the labels consist of lexical clusters.

Comparisons of high-frequency labels in the two court-types reveal characteristics of their legal discourse. *Crime* and *offence* are two metalinguistic labels used as umbrella terms for various kinds of offences (see Sections 8.4 and 8.5). In JC records, *crime* is the second most frequent label. *Offence* only occurs twice with respect to verbal offences. By contrast, *offence* is the second most frequent labels in KS proceedings, while examples of *crime* are few. This pattern lends linguistic support to Schilling's (1987) argument that criminal and ecclesiastical courts had different perspectives of offence. The main objective of KS was to lead sinners to repentance and unite them again with the godly community. Within the "punitive discipline" of early modern secular courts, reintegration of delinquents was unthinkable (Schilling, 1987: 300-301).¹²⁰ Broadly speaking, *offences* could be forgiven; *crimes* had to be punished. The fact that *crime* and *offence* are not restricted to one court-type might relate to the overlap between criminal and ecclesiastical jurisdiction (Schilling, 1987: 304, see Section 7.3). One of the instances of *offence* in the JC sub-corpus appears in a defendant's supplication to the king: *Seing your hienes | wes sa heichlie offendit yairat* 'seeing your Highness was so highly offended at that' (*PitcairnT*, 1597-98: 32, MS NRS JC2/3, p.240). The example contrasts with *crime* within the same case: James VI granted pardon but emphasised that the defendant would have deserved a sentence of death and forfeiture for his verbal and non-verbal *crimes* against king and state (*PitcairnT*, 1597-98: 33). The few occurrences of *crime* in KS records pertain to deprecatory expressions targeted at elders or other parishioners and might be a lexical reflex of the often cited "'criminalisation of sin'" in reformed discipline (Lenman and Parker qtd. in Schilling, 1987: 303).

Contrastive patterns are also found for judgements of a perceived damage to reputation. The most common label for defamation in KS proceedings, i.e. *slander*, was a shared legal term. In the JC sub-corpus, *slander* is outnumbered by *calumny* by more than three to one. *Calumny* does not occur in KS samples, while the KS term *injury* is not attested for verbal offences in JC texts. Given the different roles of the JC and KS in the Scottish legal system

¹²⁰ Kennedy (2012: 193) challenges this view by arguing that criminal courts mitigated sentences if defendants showed signs of repentance; however, she concedes that "reforming the personal attitudes of offenders" was not among the primary aims of criminal jurisdiction.

(Section 7.3), patterns of usage imply that *calumny* was reserved for more serious criminal acts of damaging someone's reputation, while *injurious* words defined a moral offence. *Slander* applied to both criminal and moral offences.

High-frequency labels were probably part of the formulaic language of legal records, while the large number of low-frequency items suggests that there was also variation. The following sections examine collocation patterns and the variation of metalinguistic labels across speech-acts, record-types and parishes. In these analyses, the three most frequent items per court-type receive special attention.

8.3. Collocation patterns

Analyses of collocations concentrate on modifiers and coordination patterns of high-frequency metalinguistic labels of verbal offences. Many collocations are too weak to reveal clear patterns. Each high-frequency label also occurs without collocates. *Crime* and *offence*, in particular, tend to be used separately, and did not show conclusive collocation patterns. The discussion of findings is therefore limited to what seem to be more prominent collocations.

Modifiers of *threat* in the JC sub-corpus link the label to several different categories, but *devilish threatening* accounts for half of the collocations. Occurrences are restricted to a witchcraft trial and might have been a preference of the prosecutor, i.e. the Lord Advocate Sir Thomas Hope, Baronet of Craighall, or his scribe (SJC, 1644: 636-673). Regarding coordination, *threat* only collocates with other labels involving physical harm, e.g. *menace*. One of those collocations occurs in a slaughter case (SJC, 1639: 301); the remaining instances appear in witchcraft trials. The evidence for lexical pairings, e.g. *threaten and avow* (*PitcairnT*, 1622: 512), is too scarce to attest binomials, i.e. “idiomatic” lexical bundles consisting of two semantically related items joined by coordination (Crystal, 2003: 53). Binomials are a typical feature of medieval and early modern Scottish legal texts, and of legal discourse in general (Kopaczyk, 2013: 26, 188-207). They add to the formulaic character of legal discourse and aid comprehension (Kopaczyk, 2013: 188ff.). For instance, the Latinate term *minatory* adjoined to *threat* made the expression more formal, while the latter probably helped to clarify the meaning of the former (SJC, 1629: 112).

With one exception, all modified examples of *calumny* occur in John Stewart's trial (SJC, 1631-33: 188). *Calumny* is mostly modified by labels of nonconformity with truth, e.g. *false*, and labels expressing moral judgements of condemnation and abhorrence, e.g. *wicked* or *abominable*. Furthermore, links to nonconformity with truth are forged through repeated coordination patterns of *calumny* with *lie* and *leasing*. Most collocations of *calumny* appear in the indictment and parliamentary verdict of John Stewart's trial, thus pertaining to the legal discourse of prosecution and parliament.

Regarding modification patterns in the KS sub-corpus, *ungodly slander* appears to be a more common expression, especially in the *St Andrews KS*, while *malicious* was a typical attribute of *slander* in the *Aberdeen KS*. The modifier *ungodly* presumably stressed the breach of God's commandment of not speaking false testimony against others (Exodus 20:6). *Malicious* fulfilled a pragmatic function of ascribing a speaker-attitude of malevolence to a perceived attack on someone's reputation, thus foregrounding a standard legal element of defamatory speech (see Gowing, 1996: 123-124). This function is also attested in JC cases, e.g. *malicious leasings and calumnies* (SJC, 1631-33: 188). Moreover, *malicious* served to incriminate alleged witches by adding the crucial motif of ill-wish to their utterances (example (1) in Chapter 7, Walker, 1995: 477).

Concerning coordination patterns, *slander* forms lexical bundles with *injury* and *defamation*. The three labels occur as binomials, either as *slander and injure* or *slander and defame* (e.g. *Aberdeen KS*, 1610: 74, *St Andrews KS*, 1590-91: 702). Because of the synonymy of *slander* and *defame*, and their semantic overlap with *injury*, the coordination of these labels creates semantic redundancy in the legal discourse of slander cases.

8.4. A pragmatic space of verbal offences

Verbal offence labels may now be mapped across speech-acts. The analysis first concentrates on how speech-acts in court-records may be situated in a pragmatic space of verbal offences. Subsequently, distribution patterns of metalinguistic labels are discussed.

Tables 8.1-2 show the variety of speech-acts in both court-types and the metalinguistic labels of verbal offences used to evaluate cited utterances in court-records. Because speech-acts do not have clear-cut boundaries, ambiguities can arise when categorising utterances (Section 3.2). To account for overlaps, speech-acts are merged into groups of re-

lated speech-acts. Raw figures are given for the number of utterances and the number of different metalinguistic labels found for each group. Speech-acts groups are sorted by their range of metalinguistic labels. Shared labels of the two court-types are put in a separate column to assess the overlap in the metalanguage of offence.

Table 8.1: Speech-acts and metalinguistic labels of verbal offences in JC/KS records, 1560-1660 (part 1).

Speech-act	Number of utterances		Number of labels (or LC ¹²¹)		Verbal offence labels		
	JC	KS	JC	KS	JC labels	Shared labels	KS labels
Disparaging acts: flyting insult railing slander slur	40	50	60	30	<i>abominable, add spark to the fuel, affronted, anger, arrogantly, bitter speeches, boldly, calumny, credit [threatened], cruel, curse, damnable, derision, despiteful, devilish, disdainful, engender discord, false, false rumour, fear of God [lack], good conscience [lack], hatred, hellish, highly commoved, honour [threatened], imprecation, impudent, invective, irritate, leasing, malapertly, merri-ness, misreport, monstrous, nickname, notorious, outrageous, perverse, pernicious, precogitated, proudly, rage, regard of religion [lack], scolding, sedition, treason, unseemly, wicked</i>	<i>crime, duty [breach], evil words, flyting, irreverence, lie, malice, odious, reproach, scandal, slander, untrue</i>	<i>backbite, blasphemy, contempt, defamation, disobedience, fault, heinously, injury, offence, railing, rash, shamefully, uncharitably, ungodly, unjust, vehemence, vice, wild</i>
							<i>audaciously, banning, contempt, contradiction, disobedience, foolish, injury, insolence, interruption, irreverence, licentiously, miscarriage, pertinacity, rash, reduced to wits, slander, sinful, stubbornness, uncivilly, ungodly, upbraidingly, wicked, wild</i>
Acts of opposition: challenge conspiracy defiance instigation	19	16	30	25	<i>arrogantly, break royal proclamation, conspiracy, contravene, crime, damnable, spiteful, disdainful, evil words, fair promises to keep the matter secret, false, heinous, horrible, in drunkenness, lese-majesty, malice, misreport, persuade [to assist], proudly, say plainly, scornful, sedition, stir up, treason, trembling [with violent emotion], tumultuous, tys [entice], unpardonable</i>	<i>blasphemy, offence</i>	<i>blasphemy, offence</i>

¹²¹ i.e. lexical cluster (Section 3.4)

Table 8.2: Speech-acts and metalinguistic labels of verbal offences in JC/KS records, 1560-1660 (part 2).

	Number of utterances		Number of labels (or LC)		Verbal offence labels	Shared labels	
Speech-act	JC	KS	JC	KS	JC labels	labels	KS labels
Act involving physical harm (supernatural): expressive curse harm-causing curse harm-inflicting vow threat (witchcraft)	35	5	47	3	<i>allegiance</i> [breach], <i>anger</i> , <i>bewitch</i> , <i>blasphemy</i> , <i>boast</i> [threaten], <i>chide</i> , <i>crime</i> , <i>cruel</i> , <i>damnable</i> , <i>devilish</i> , <i>duty</i> [breach], <i>envy</i> , <i>evil will</i> , <i>evil words</i> , <i>fear of God</i> [lack], <i>fearful</i> , <i>flyting</i> , <i>fury</i> , <i>grievous</i> , (NO) <i>hatred</i> , <i>horrible</i> , <i>imprecation</i> , <i>impudent</i> , <i>incantation</i> , <i>indignation</i> , <i>irreverence</i> , <i>malice</i> , <i>menace</i> , <i>meschantly</i> , <i>minatory speech</i> , NO <i>enmity</i> , <i>outrageous</i> , <i>passionate speeches</i> , <i>prediction</i> [of harm], <i>promise</i> [harm], <i>rage</i> , <i>revenge</i> , <i>say justly</i> , <i>scolding</i> , <i>sorcery</i> , <i>threat</i> , <i>treason</i> , <i>vow</i> [harm], <i>witchcraft</i> , <i>wrath</i>	<i>curse</i> , <i>wicked</i>	<i>banning</i>
Act involving physical harm (other): threat harm-inflicting commitment/ vow	17	5	23	13	<i>admonition</i> , <i>anger</i> , <i>crime</i> , <i>damnable</i> , <i>despiteful</i> , <i>evil words</i> , <i>fury</i> , <i>highly commoved</i> , <i>malice</i> , NO <i>evil intention</i> , <i>rage</i> , <i>rancour</i> , <i>rash</i> , <i>sedition</i> , <i>swear with great oath</i> , <i>treason</i> , <i>unadvisedly</i> , <i>utter unhappily</i> , <i>vow</i> [harm]	<i>menace</i> , <i>offence</i> , <i>slander</i> , <i>threat</i>	<i>[against God]</i> , <i>awful/terrible</i> , <i>fear</i> , <i>boast</i> [threaten], <i>contempt</i> , <i>frowardness</i> , <i>injury</i> , <i>severity</i> , <i>sharp/hard words</i>
Profane language: blasphemy swearing	2	7	7	8	<i>abominable</i> , <i>devilish</i> , <i>hellish</i> , <i>horrible</i> , <i>odious</i> , <i>unrehearsable</i>	<i>blasphemy</i>	<i>banning</i> , <i>contempt</i> , <i>disobedience</i> , <i>injury</i> , <i>offence</i> , <i>scornful</i> , <i>vain</i>
Obscene language	4	2	7	6	<i>[against God]</i> , <i>irreverence</i> , <i>disdainful</i> , <i>duty</i> [breach], <i>reproach</i> , <i>slander</i> , <i>unseemly</i>		<i>filthy language</i> , <i>frowardness</i> , <i>railing</i> , <i>shamefully</i> , <i>ungodly</i> , <i>wicked</i>
Verbal aggression	20	0	10	0	<i>anger</i> , <i>boast</i> [threaten], <i>calumny</i> , <i>derision</i> , <i>disdainful</i> , <i>malice</i> , <i>merriness</i> , <i>provoke</i> , <i>slander</i> , <i>threat</i> , <i>vow</i>		
Ambiguous	6	5	4	0	<i>anger</i> , <i>deadly fede</i> [hostility], <i>hatred</i> , <i>malice</i>		
Lie	0	1	0	1			<i>falsely</i> , <i>dissemble</i>

The largest group are disparaging acts. All speech-acts in this category share the function of saying something “disparaging” about targets (Jucker, 2000b: 374, Taavitsainen and Jucker, 2008b: 6). Slander is the core speech-act in defamation cases. The illocutionary point of slander is to attack “the target’s reputation” by giving a false report (Jucker, 2000b: 374). It differs from insults in its truth-conditionality (see Section 3.2), which is illustrated by the different functions of the derogatory term *thief* in examples (1) and (2) below. In example (1), it was established as a false accusation of theft, and thus as slander. The name-calling in example (2) was probably an insult because the context does not indicate that the target was suspected of theft.

- (1) The *quhilk* day also ye said Johne achisoun Johne kirkw[od]
gilbart clwch takin tryell in ye clame of hewie
pollart aganis Jonat wilson ye said hewi pollart
proweing his clame be sufficient witnes viz
ye said Jonat callit ye said hewi **ane commone theif**
for ye *quhilk* ~~ye-s~~ george skedowi held him suspect

‘Which day also the said John Atchison, John Kirkwood, Gilbert Clutch taking trial in the claim of Hewie Pollart against Jonet Wilson. The said Hewie Pollart proving his claim by sufficient witness viz. the said Jonet called the said Hewie a common thief for which George Skedowy held him suspect’
(*Canongate KS*, 1566/67, MS NRS CH2/122/181, p.146, emphasis mine)
- (2) Efter the *quhilk* tyme the seiknes ceissit and came *nocht* to hir [i.e. Margaret Donaldson]
agane |
quhill the beginning of december last That scho [i.e. Issobell Greirson] cuming yair by hir
dur with ane creill on hir bak said to hir away **theiff** I sall haif
thy hairt for bruitting of me sa falslie And Immediatlie *yairefter*
the seiknes of new agane come vpoun hir

‘After which time the sickness ceased and came not to her [i.e. Margaret Donaldson] again until the beginning of December last that she [i.e. Issobell Greirson] coming there by her door with a basket on her back said to her: “Away thief, I shall have thy heart for accusing me so falsly.” And immediatly afterwards the sickness of new again came upon her.’
(*PitcairnT*, 1607, MS NRS JC2/4, p.349, emphasis mine)

Margaret Donaldson, the addressee in example (2), had spread rumours that Issobell Greirson was a witch. Greirson’s furious response was seen as an act of witchcraft which caused Donaldson’s illness. *Thief* in that case was an expression of anger and contempt unless it was understood in an extended sense of stealing Greirson’s good reputation. The insults attested in Scottish court-records may not have been actionable on their own; however, they were part of utterances that were legally prosecuted.

Next to *thief*, other common disparaging expressions in the investigated court-records are *witch*, *whore*, and *traitor*. These terms were attested 10 or more times in the data, and

probably represent conventionalised acts of insult or slander.¹²² Except for one instance, occurrences of these expressions have clear derogatory connotations.¹²³ Albeit a negative attribute, *traitor* did not constitute an actionable verbal offence in any context. If the target was the alleged traitor, *traitor* was institutionally instantiated as legitimised verbal aggression (e.g. *PitcairnT*, 1600: 181-182). As an offence, *traitor* was evaluated by interrogators as one of the *evill wordis* hurled at the king's supporters in the Perth town riot (*PitcairnT*, 1600: 194, MS NRS PA7/23//2/1, Item 108/10).

Context is even more important to identify obsolete disparaging expressions. *Green-coats* was apparently a derogatory term for royal soldiers. It was evaluated as *irreverent* and *evil* in the Perth burgh court interrogatory, thus indicating an offensive uptake (*PitcairnT*, 1600: 194). Another opaque disparaging act is the expression *one who passed to the French Ambassador*. A close reading of *Canongate KS* (1566-67: 60) proceedings reveals that it was understood as an indirect equivalent of *whore*, and thus as slander. Albeit infrequent, the derogatory meanings of these two expressions were possibly widely shared. Comments on those offensive terms in court-records are brief, which suggests that their disparaging content was obvious to people at the time.

The metadiscourse on disparaging acts in KS proceedings illustrates the fuzzy boundaries between slander and insult. Gowing (1996: 116) notes that accusations of sexual immorality were often part of a language of insults in broader conflicts rather than “complaining about actual sexual misdemeanours”. Hence, church-courts tried to ascertain whether slanderous words had been spoken with malice (Gowing, 1996: 123-124). Defamation cases in the KS sub-corpus rarely ascribe intentionality to slanderous language. Occasionally, modifiers such as *maliciously* or *uncharitably*¹²⁴ suggest intentional attacks on the target's reputation (*Aberdeen KS*, 1609: 70-71, 1610: 74). Possibly, disparaging words were in many cases uttered as insults but perceived and tried as slander.

Furthermore, slander overlaps with slurs. Both disparaging acts “can at least be potentially tested for their truth”, while slander constitutes the more “serious” offence of the two

¹²² Methodological considerations about frequency and conventionalisation are discussed in Section 3.2. An overview of derogatory expressions in the JC and KS sub-corpora is given in Section 9.3. Raw figures of terms occurring in both court-types have been counted together to identify the most common disparaging acts in cited utterance-events.

¹²³ The exception is an example of *witch*, which was interpreted by the defence as friendly banter. The re-evaluation served to reject a charge that the alleged witch was provoked and avenged herself on the name-caller (SJC, 1644-45: 642, 655).

¹²⁴ See Gowing (1996: 120) for the period-specific perspective of malicious slander as the perverted form of “charitable advice”.

(Jucker, 2000b: 376). According to Croom (2013: 178-179), slurs attack “certain group members” by using derogatory terms which target “certain descriptive features (e.g. race)” of their group. The group-membership aspect is shared by slander (see Chapter 9). Croom (2013) does not distinguish slurs from slander.¹²⁵ For this investigation, slander is taken to occur when a disparaging act had immanent social, economical and/or legal consequences for targets if their slandered reputation was not restored. Like slander, slurs were “legally punishable” (Jucker, 2000b: 376), but slurs would not incur the same serious effects on targets if they went unchallenged. Still, I agree with Jucker (2000b: 376) that boundaries cannot always be clearly drawn between slander, slurs and insults.

Andrew Dickson’s invective against the Protestant church in example (3) may be classified as a slur, but might have verged on slander:

- (3) [William Allardes] deponit *yat* the said andrew dicksoune said to him that he hade never communicat *with* the protestant church and *yat* he said to him that the deponeris religioun was *ayer* a runnagat religioun or a hereticall Religioun *quhilk* of the two wordis he remembers *nocht*

‘William Allardes declared upon oath that the said Andrew Dickson said to him that he had never communicated with the Protestant church and that he said to him that the deponent’s religion was either a renegade religion or a heretical religion, which of the two words he remembers not.’

(*Aberdeen KS*, 1657, MS CH2/448/6, p.276)

Challenging the Protestant postulate of being the true religion was still considered serious enough to call for legal action about a hundred years after the Reformation. However, whereas sexual or witchcraft slander threatened targets’ reputations and lives (see Chapter 9), Dickson’s slur did not jeopardise the Reformed Kirk’s position. In 1567, the Scottish Protestant church obtained “unquestioned legal establishment by authority of king and Parliament” (Walker, 1995: 276). Moreover, cooperation between KS and civil authorities made it impossible for any opposition to “overturn” the Reformed Kirk, as shown in St Andrews after the Reformation (Dawson, 1991: 430). Nevertheless, the Aberdeen KS might have perceived a fine line between slur and slander.¹²⁶ Dickson was sentenced to signing the Negative Confession in public, which means that he had to renounce Catholic faith and practices (Walker, 1995: 282). Thus, the Kirk appears to have felt a necessity to

¹²⁵ He does, however, separate slurs from more neutral group terms and from insults (Croom, 2013: 178-182).

¹²⁶ There are no metalinguistic labels for Dickson’s utterance to shed further light on the session’s perceptions of offence.

use their institutional power to crush any attempt to discredit their claimed foundation on truth.

In comparison with slurs, slander and insults, the disparaging act of flyting is distinctive in the ritual and reciprocal manner in which participants disparage each other (Sections 3.2 and 7.2). It can be difficult to discern flyting examples in early modern Scottish court-records (see Section 3.2). Recordings of at least some turns of flyting speech are rare in the JC and KS sub-corpora, and cited utterances are scarcely judged as *flyting*. Example (4) below illustrates what supposedly was a more prototypical case. The passage reports a quarrel between Agnes Finnie, a shopkeeper in Edinburgh, and one of her debtors, Euphame Kincaid. It is an excerpt of the witchcraft indictment against Finnie. The ritual of flyting is characterised by a response pattern of conditionals combined with offensive counter-attacks.¹²⁷

(4) *8 article*

Item fforsameckle as Ewphame kincaid spous to James fairlie cordiner being addettit to 3ow in ane small sowme of money 3e in the monethe of August 1643 come to ye said Ewphame kincaid and maist rigourouslie and misleardlie cravit yat money fra hir And in 3our scalding callit hir ane drunkard *quhairvnto* schoe haveing maid this *ansuer* gif I be ane drunkard 3e ar ane witche *quhairvpone* 3e in great readge replyit to hir weill gif I be ane witche *ayer* 3e or 3ouris sall have better caus to call me soe According to the *quhilk* devillische threatning sua utterit be 3ow it is of verritie yat *within* Tua dayis *yaireftir* Jonet fairlie dochter to ye said Ewphame being

[p.400]

being playing in the horse wynd not far frome 3our hous ane great jeast or tua be 3our sorcerie & witchcraft and conforme to 3our devillische threatning did fall vpone the said Jonet fairleis lege and cruschet it in peaces *quhilk* being schawin to 3ow be some *nychtbouris* 3e fell over in ane grit lauchter

‘Also, forasmuch as Euphame Kincaid, spouse to James Fairlie, shoemaker, owing you a small sum of money, you in the month of August 1643 came to the said Euphame Kincaid and most rigorously and unmannerly craved that money from her. And in your scolding called her “a drunkard”; to which she, having made this answer: “If I’m a drunkard, you are a witch”, to which you, in great rage, replied to her: “Well, if I’m a witch, either you or yours shall have better cause to call me so.” According to which devilish threatening, so uttered by you, it is of verity that within two days after, Jonet Fairlie, daughter to the said Euphame, being playing in the horse wynd not far from your house, a great joist or two, by your sorcery and witchcraft, and conform to your devilish threatening, did fall on the said Jonet Fairlie’s leg, and crushed it in pieces, which being shown to you by some neighbours, you fell over in a great laughter.’

(SJC, 1644-45, MS NRS JC2/8, pp. 399-400)

Drunkard and *witch* were potentially slanderous expressions since drunkenness was a moral offence prosecuted by KS and witchcraft was a crime (Graham, 1996: 41, 298).

¹²⁷ For a definition of *offensive counter*, see Section 2.5.2.

Finnie's last counter was later used against her as incriminating evidence of witchcraft. This example suggests that flyting was not just a disparaging act, but shared some pragmatic space with threatening.

Last in the group of disparaging acts, railing, is distinguished from neighbouring speech-acts by speaker-attitude. DOST definitions of *rail* imply two related speech-acts: "jest" and "utter invective or abuse".¹²⁸ While the former is associated with a ludic speaker-attitude, the latter is offensive. Offensive railing is determined by speakers' talking in an uncontrolled manner (DOST). This limited offensive intention separates railing from slander and slurs, which are characterised by deliberate depreciation.¹²⁹ Drawing the line between offensive railing and insult is more complex. Occurrences of insults depend on targets' perceptions of offence, while speakers' intentions can range between causing offence on purpose or accidentally (Jucker and Taavitsainen, 2000: 72).

The following case illustrates the overlapping functions of railing, i.e. how a playful attitude can shift to an offensive uptake. Andrew Cant, the minister in Aberdeen, accused Isobell Robertson, a baker's servant, of *railing* against him by saying *becaus the said maister andrew spak against | yuill he spak lyk ane old fooll* 'because the said Mr Andrew spoke against Christmas, he spoke like an old fool' (*Aberdeen KS*, 1656: 138, MS CH2/448/6, p.261). Christmas, or Yule in Scots, was a holiday under Catholic rule. After the Reformation the Kirk required people to work on that day. In 1617, Yule was re-established as a holiday (Fleming, 1889-90: xlvi). However, the Aberdeen Kirk still seemed to suppress it as a Catholic feast in 1656. Robertson denied the offensive railing laid to her charge and gave a different report of the words said: *she called yulday | ane old foollday* 'she called Christmas Day an old fool's day' (*Aberdeen KS*, 1657, MS CH 2/448/6: 262). Her defence apparently convinced the KS; the minutes record no further actions taken against her. Calling the minister an old fool was legally punishable; having a joke at the expense of an officially denounced Catholic custom was legitimised impoliteness.

Robertson's railing against the minister is also an example of opposition, more precisely of defiance. Acts of opposition have the shared function of using language to show resistance

¹²⁸ The meanings given in DOST are more adequate to the speech-acts evaluated as *railing* in KS samples than OED definitions. The OED entries "rail, *n.*⁴" and "rail, *v.*⁵" contain speech-act elements of "complain", which are absent in corpus examples of this study (Third Edition, accessed 21 December 2014).

¹²⁹ See OED entries "slander, *n.*" and "slur, *n.*³" (Second Edition, accessed 21 December 2014).

towards targets. As a preparatory condition of defiance, targets hold a position of authority over speakers, which can be any kind of socially defined superior power. Defiance is prominent in verbal offences against ecclesiastical or civil authorities, or cases of religious dissent, in the KS sub-corpus. Example (8) below shows the only instance of defiance against parents found in the data. In the JC sub-corpus, defiance was mainly shown against the king or his representatives.

Defiance is distinguished from other acts of opposition by the absence of physical violence. In peripheral cases of defiance, speakers expressed intentions to use physical violence. In an upheaval in the church of Crail, William Morton, laird of Cammo, threatened the minister John Melville with ousting him from his office (example (5)):

- (5) Newertheles wyliam
 mortoun of cambo oppinlie in ye public essemble manest boistit
 and Iniurit the said minister in ye pulpot saying thir wordis follow[ing]
 or siclyik in effect My brother is and salbe vicar of crayll quhen
 thow sal thyg thy mayt fals smayk I sall pul ye owt of ye
 pulpot be the luggis and chais ye owt of yis town
 ‘Nevertheless, William Morton of Cammo openly in the public assembly menaced, threatened and injured the said minister in the pulpit saying these words following or similar in effect: “My brother is and shall be vicar of Crail when thou shalt beg for thy food, false rogue. I shall pull thee out of the pulpit by the ears and chase thee out of this town.”’
 (St Andrews KS, 1561, MS CH2/316/1/1, p.56)

William Morton did not put his threat into action. However, he might have done so had the minister not been quicker in taking legal action against him.

The readiness to use physical violence overlaps with the act of challenge, which combines verbal resistance with the use of weapons, as in example (6):

- (6) and he passing fordvar at my lordis command nawayis knawing
 quha followit my lord come to ane chamber quhar he saw Sir thomas erskin Doctour
 hereis and |
 Jhone ramsay standin with drawin suordis quhilk doctour hereis presenting his suord to
 stop the entrie |
 maister Thomas said to him zeall theiff dar thow Doctour hereis ansuerand / A monsieur
 cranstoun |
 quhilk maister thomas said theiff gif thow be Innocent of 3one sklauchter come furth and
 I sall varrand |
 the yairefter my lord and Jhone ramsay Jokit / the rest straik swme straikis at maister
 thomas and |
 he at thame [...]
 ‘And he passing forward at my Lord’s [i.e. the third earl of Gowrie’s] command, no ways knowing who followed, my Lord came to a chamber where he saw Sir Thomas Erskine,

Doctor Herries and John Ramsay standing with drawn swords, which Doctor Herries, presenting his sword to stop the entry, Mr Thomas said to him, “Surrender thief! Dare thou?” Doctor Herries answering, “A Monsieur Cranston”, which Mr Thomas said, “Thief, if thou be innocent of yonder slaughter, come forward and I shall protect thee.’ After that, my Lord and John Ramsay engaged in combat. The rest struck some strokes at Mr Thomas and he at them.’

(*PitcairnT*, 1600, MS NRS PA7/23/2/1, Item 108/1)

The event in example (6) took place after the alleged conspiracy of John Ruthven, the third earl of Gowrie, and his brother, against James VI had been revealed.¹³⁰ As a loyal attendant to Gowrie, Thomas Cranston fought at the side of his master and challenged one of the king’s supporters, Hugh Herries, whom he suspected to have been involved in killing Gowrie’s brother. The challenge is mixed with insults, showing further examples of the expressive use of *thief*.

In comparison with challenge and defiance, a distinctive element of conspiracy is the concealed plotting of opposition. Accessibility to conspiracy settings is limited to leading conspirators and their accomplices. In example (7), James Hepburn, the fourth earl of Bothwell, let his attendant John Hay into his secret plans of murdering Henry Stewart, Lord Darnley, then King Consort of Scotland:

- (7) [...] That vpoun ye vii day of februar last bypast before ye kingis murthour T[he] erle boithuile *within* his chalmer in his ludgeing in ye abbay of halyrud[hous] Schew to ye deponar ye purpois of ye kingis murthour Sayand yir word[is or] siclike / Johnne, yis is ye mater The kingis destructioun is diuis[it] And I mon Reveill it vnto ye ffor and I put *nocht* him down I can *nocht* haif [an] lyfe in Scotland He wilbe my desctructioun And I reveill yis to ye as to [my] freind And gif ~~þo~~ yow reveill It agane It wilbe my destructioun And I [sall] seik yi lyfe first And *yairwith* he gaif ye deponar alsua diuers admonition[s and] als fair promissis to keip ye mater secreit And to tak *part with* him of ye k[ingis] slauchter as he hed diuisit

‘that upon the 7th day of February last bypast before the king’s murder, the earl of Bothwell within his chamber in his lodging in the Abbey of Holyrood House showed to the deponent [i.e. John Hay] the purpose of the king’s murder saying these words or others of the same kind: “John, this is the matter. The king’s destruction is devised and I must reveal it to thee because if I do not put him down I cannot have a life in Scotland; he will be my destruction. And I reveal this to thee as to my friend and if thou reveal it again it will be my destruction and I shall seek thy life first.” And thereupon he gave the deponent also diverse admonitions and as fair promises to keep the matter secret and to take part with him in the king’s slaughter as he had devised.’

(*PitcairnT*, 1567, BL Cotton MS Caligula C I, f.324v)

Bothwell’s conspiracy was not a purely verbal offence as he and his accomplices were suspected to have murdered the king (Lynch, 1992: 217). Conspiracies could remain verbal if

¹³⁰ For more information on the Gowrie conspiracy, see Ruthven’s ODNB entry.

exposed before the planned overthrow of authorities was enacted (e.g. *PitcairnT*, 1565: 462-465).

Acts of conspiracy overlap with instigation. Instigation is defined as speakers' attempts to stir up addressees to some future action against targets that is unfavourable to targets. Targets may or may not be present. In conspiracies, instigation is performed secretly (example (7) above). Acts of instigation can be public. For example, Elizabeth Arnot shouted her demand that gentlemen of Crail should oust the minister from his office at a Sunday service (*St Andrews KS*, 1561: 107).

Boundaries between acts of opposition and acts involving physical harm are fuzzy. Acts of opposition can be combined with threats, as in example (5) above. Furthermore, targets of threats were not always authorities (example (7) above). Threats such as those of Bothwell and William Morton are distinguished from other speech-acts involving physical harm by the presence of targets. A threat is felicitous if addressees understand that speakers intend to intimidate and inflict "negative consequences" on them (Limberg, 2009: 1378). If targets are absent in communicative events, the element of intimidation disappears; threats turn into harm-inflicting commitments of a broader kind. For instance, on the night of Darnley's murder, Bothwell's angry refusal to leave before seeing the detonation was not uttered to threaten any of his co-participants; he simply wanted to ensure that their device to destroy the King Consort had worked (*PitcairnT*, 1567: 498). Harm-inflicting vows are a subtype of harm-inflicting commitments which do not require targets' presence (Searle and Vanderveken, 1985: 193). If addressed to targets, vows share the intimidating function of threats. A distinctive feature of vows is the "solemnity" with which future harmful events are announced, e.g. *he wowit to | god that gif ony of yame suld cry he suld cum bak agane and tak yair lyiffis* 'he vowed to God that if any of them should cry he should come back again and take their lives' (Searle and Vanderveken, 1985: 193, *PitcairnT*, 1609: 43, MS NRS PC10/8A, Item VIII/121).

Speech-acts involving physical harm are divided into two groups depending on whether the source of detriment was supernatural or human. Supernatural intervention is a preparatory condition of witchcraft events. Speakers were believed to possess the power to inflict physical harm by means of their "pact with the devil" (Culpeper and Semino, 2000: 109). By contrast, if speakers were not in league with the devil, physical harm would have had to

be brought on targets by human force (Fraser, 1998: 163).¹³¹ In examples (5) and (7), speakers committed to hurt or destroy their addressees themselves. Agnes Finnie's final words in example (4) above were understood as a threat of witchcraft because she had a reputation in her community for being a witch. The prosecution claimed that the accident of Kincaid's daughter was caused by witchcraft according to Finnie's previous threat. For that uptake, a belief-system had to be in place which acknowledged witchcraft as a reality (Culpeper and Semino, 2000: 112).

Threats of witchcraft and harm-causing curses are distinguished from expressive curses by speakers' control over supernatural intervention. Harm-causing curses are "supernatural declarations", i.e. speakers are enabled to release supernatural infliction of physical harm through their words by means of their alliance with the devil (Culpeper and Semino, 2000: 107, 109, Searle, 1993: 16). This preparatory condition of having access to supernatural powers is absent in expressive curses (Culpeper and Semino, 2000: 109-110). As a result, the performativity of expressive curses is reduced to the expression of ill-wishes. Sincerity conditions for expressive curses may vary from a speaker's sincere desire that the harmful event will befall the target to venting negative emotions. The latter would be a "pure expressive" in speech-act terminology (Culpeper and Semino, 2000: 110). According to Culpeper and Semino (2000: 110, 113-114), there are no sincerity conditions for harm-causing curses because speakers' intentions became irrelevant in the process of defining witchcraft events. Law-courts played a central, performative, role in the "instantiation" of witchcraft (Culpeper and Semino, 2000: 113). Utterances were regarded as acts of witchcraft if so established by judicial verdicts. In example (2) above, the prosecution constructed the alleged expression of revenge as a harm-causing curse, a view which was confirmed by jury and judge (*PitcairnT*, 1607: 526). Example (8) reports expressive curses hurled by a young woman¹³² at her parents:

- (8) The *quhilk* day cathrin andersoun dochter to thomas andersoun and effe
broun being accusit for banning of hir father & mother grantis
sche said to hir father ye dewill tak 3ow away and said to hir
mother ye dewill stik hir and sche being commandit be hir mother
to do ane honest turn *ansuerit* ye dewill ane futt will I do It
'Which day Catherine Anderson, daughter to Thomas Anderson and Effie Brown, being
accused for cursing of her father and mother grants she said to her father, "The devil take

¹³¹ Additionally, physical harm might befall people as a consequence of God's wrath over their sins (Todd, 2002: 174). Announcements of divine judgements do not occur in cited utterance-events in the JC and KS sub-corpora.

¹³² Catherine Anderson's age is not given in the records. Fleming (1889-90: lxxvi) describes her as a "young woman".

you away”, and said to her mother the devil stab her, and she being commanded by her mother to do an honest turn answered, “The devil a foot will I do it!”

(*St Andrews KS*, 1595, MS CH2/316/1/1, p.504)

There are no hints in the *St Andrews KS* that Catherine Anderson was credited with supernatural powers to inflict harm on her parents. As with other related speech-acts, the boundaries between expressive and harm-causing curses are not clear-cut. According to present-day rational thought curses such as those in example (8) would simply be seen as an expression of defiance or other negative emotions (see Arnovick, 1999: 91-92, Culpeper and Semino, 2000: 103). The fact that such invocations of the devil were taken to court suggests that people at the time perceived them at least as potentially harmful.¹³³

This study extends Culpeper and Semino’s (2000) conceptualisation of harm-causing and expressive curses to threats of witchcraft and argues that these related speech-acts overlap in early modern Scottish court-records. Threats of witchcraft and harm-causing curses have the same preparatory conditions, i.e. speakers’ “pact with the devil” and a predicated future event that is not in the target’s interest (Culpeper and Semino, 2000: 109). Essential conditions are different. Unlike harm-causing curses, threats are not fully performative. Threats of witchcraft count as explicitly or implicitly expressed intentions to practise witchcraft in the future rather than as the performance of witchcraft itself. It can be difficult to distinguish between threats or vows of inflicting physical harm and harm-causing curses. Jury verdicts and sentences have been taken as guidance as to which utterances were instantiated as fully performative acts of witchcraft. Margaret Wallace’s utterance in example (9) straddles the line between a threat and a harm-causing curse:

- (9) The saxt article of Dittay being red, and the said
margaret wallace accuset *yairof videlicet* that scho haif
ing consauet ane deidlie haitrent aganis robert
mure mercheand burges of glesgow Thraitnet him
with mony outrageous speiches saying to him thow
sall gang hame to thy hous and sall bleid at
thy nois ane quart of bluid bot sall nocht die
quhill thow send for me and ask me forgiveness
Quhairvpone schortlie *yaireftir* be ye said mar
garet hir sorcerie & witchcraft practizet vpone
him he contractit ane grevous & suddane seiknes
quhairof he deceissit [...]

‘The sixth article of indictment being read, and the said Margaret accused of that, viz. that she, having conceived a deadly hatred against Robert Mure, merchant citizen of Glasgow, threatened him with many outrageous speeches, saying to him, “Thou shall go home to

¹³³ With respect to ME religious curses, Arnovick (1999: 81-82) notes that invocations of God were seen as effective in stirring God to punish transgressors of his commandments.

thy house and shall bleed at thy nose a quart of blood, but shall not die until thou send for me and ask me forgiveness.” Whereupon shortly afterwards, by the said Margaret her sorcery and witchcraft practised upon him, he contracted a grievous and sudden sickness, of which he deceased.’

(*PitcairnT*, 1622, MS NRS JC2/6, f.64v)

Metalinguistic labels seem to construct the utterance-event in Wallace’s indictment as a threat and simultaneously as an act of witchcraft. Further ambiguity arises in the prosecution’s argument that the article contained *ane promiseis to do ye deid, The | doing of ye deid And the confessioun yaireftir of ye | doing yairof* ‘a promise to do the deed, the doing of the deed, and the subsequent confession of the doing of it’ (*PitcairnT*, 1622: 521, MS NRS JC2/6, f.64v). Since the article does not specify any acts of witchcraft between the cited utterance and the outbreak of the sickness, both the descriptive speech-act verb *promise* and the phrase *ye doing of ye deid* might refer to the cited utterance. Hence, it is not clear if the speech-act was framed by the prosecution as an expressed intention to inflict harm or as a harm-causing declaration. In 17th-century Scots law, threats of witchcraft counted as legal evidence for witchcraft if physical harm befell victims “immediately” afterwards (Smith, 1974: 673). Prior to the trial, the defendant had confessed this article as an act of witchcraft. After the article was read out in the courtroom, Wallace withdrew her confession and together with her defence counsel challenged the relevance of the charge (*PitcairnT*, 1622: 520). Wallace’s defence advocates argued that utterances allegedly spoken by her in past conversations lacked crucial elements of acts of witchcraft, such as invocations of the devil (*PitcairnT*, 1622: 523). The judges dismissed the objections and declared all charges to be relevant, i.e. each one of them had to be considered by the jury when deciding on the verdict. Wallace was convicted of witchcraft; however, her guilt was based on charges other than the sixth article (*PitcairnT*, 1622: 524, 535). If the utterance-event in example (9) above was perceived as a threat of witchcraft, the claimed incriminating link between the utterance and the alleged victim’s sickness was not confirmed by the jury’s verdict.

Curses share pragmatic space with profane language. Incantations, for instance, overlap with swearing. A typical phrase of swearing cited in the *St Andrews KS* is the interjection *the devil* attached to other speech-acts, as in the third utterance of example (8) above. In the first two utterances of example (8), the devil was invoked as a supernatural agent to cause harm to targets. Albeit not instantiated as acts of witchcraft, the curses were potentially more performative than the purely expressive use in *ye dewill ane futt will I do It*, in which the religious taboo term reinforces Catherine’s emphatic rejection of her mother’s

request (*St Andrews KS*, 1595, MS CH2/316/1/1, p.504). In acts of swearing, taboo language is employed to vent negative feelings (Jay, 2009: 153). Although this function is shared by expressive curses and insults, swearing differs from the latter in that negative emotions expressed through profane language are not targeted at other participants (Jucker and Taavitsainen, 2000: 75).

Unlike swearing, the profanity of the neighbouring speech-act of blasphemy is targeted. Speakers ascribe profane properties to God or someone/something closely related to God. Thus, blasphemy is a specifically religious disparaging act. Similar to insults, and unlike slander, blasphemy is an expressive speech-act and hence not truth-conditional. Scottish KS took any lack of reverence expressed in words against Protestant faith and practices seriously, such as the profanity targeted at the sacrament of the communion in example (10):

- (10) Cristene thomsoun being also ressauit
 suorn and examinat deponis on hir conscience *yat* sche hard Jhone downy
 say tyme *libellat* The dewill draw ye *comm\u\nion* out at yon ars with
 mony *uyeris* Iniurous wordis odious to be hard or put in wreit
 ‘Christine Thomson being also received, sworn and examined, declared upon her
 conscience that she heard John Downy say time specified in the libel, “The devil draw the
 communion out of yonder arse”, with many other injurious words odious to be heard or
 put in writing’
 (*St Andrews KS*, 1582, MS CH2/316/1/1, p.307)

Contemporary secular authorities might not judge blasphemy as “a conscious attack on God” but rather as venting anger, thus regarding it as somewhat closer to swearing (Graham, 1996: 51). The *St Andrews KS* (1582: 484), however, considered Downy’s utterance a more performative act of profaning the Lord’s Supper.

Obscene language intersects with profane language, disparaging acts, and acts of opposition. It has been listed separately to highlight the distinctive, albeit infrequent, occurrence of taboo terms of body parts and sexuality in the data. Downy’s use of *arse* in example (10) above, was embedded in a blasphemous act. Moreover, his attack on the holiness of communion might also have been regarded as an act of defiance against the Protestant redefinition of the sacrament (Fleming, 1889-90: xc-xci, Graham, 1996: 9-10). Sexual taboo features in James Alexander’s public boasting about his adultery: *James alexander oppynlie awansit and mayd his rws yat ye sam | self nycht proceding he had chapit twyis* ‘James Alexander openly vaunted and boasted that the same night proceeding he had japed twice’ (*St Andrews KS*, 1560-61, MS CH2/316/1/1, p.38). In his wife’s petition, his words

were evaluated as *railling schamfullie and vngodlie* ‘railing shamefully and ungodly’ (*St Andrews KS*, 1560-61, MS CH2/316/1/1, p.35). As evidenced in the use of modifiers, his wife perceived his *railing* as offensive rather than playful.¹³⁴

In some cases, speech-act functions of verbal offences are ambiguous. Utterances in such cases do not contain any features that are characteristic of certain types of verbal offences. Metapragmatic comments on utterances could compensate for this vagueness as they provide important information on participants’ understandings of utterances (Jucker and Taavitsainen, 2013: 95-96). If legal records are void of participant reactions or if metalinguistic labels refer to negative emotions or attitudes which are not associated with specific verbal offences, the speech-act functions of utterances can remain uncertain, as in example (11):

- (11) Compearit william allardes and deponit yat
 one day andrew dicksoune came frome pitfoddellis house
 quhair he vsed to goe frequentlie and yairefter the deponer and
 he takeing a drinke togidder the said andrew said to him
 I hope william ye¹³⁵ sall be a Roman catholicke or yee die
 ‘William Allardes appeared and declared upon oath that one day Andrew Dickson came from Pitfoddell’s house where he used to go frequently and afterwards the deponent and he taking a drink together the said Andrew said to him, “I hope, William, you shall be a Roman Catholic before you die.”’
 (*Aberdeen KS*, 1657, MS CH2/448/6, p.276)

The passage is another excerpt relating to the Aberdeen KS’s prosecution of Andrew Dickson for papistry. Unlike Dickson’s slur in example (3) above, his utterance in example (11) does not contain any derogatory expressions against the Reformed Kirk. The performative speech-act verb *I hope* is not associated with an offensive act nor is it followed by an ill-wish. Dickson’s hope that his addressee would convert to Catholicism was, of course, an affront to the Protestant church at the time. There are no metalinguistic labels that shed further light on whether his utterance was perceived by the church as an act of defiance or instigation or even disparagement or whether they suspected Dickson to have intimidated his addressee about the state of his soul. Likewise, the source texts in other ambiguous cases broadly convey that utterances were experienced as verbal offences, e.g. as religious dissent, but the lack of specific clues makes it difficult to categorise them further.

¹³⁴ See discussion above on the two functions of railing. The metalinguistic labels might not be her lexical choices, but reflect the language of the scribe or lawyer who crafted the petition on her behalf (see Chapter 7).

¹³⁵ Letter <y> – not yogh – is used in second-person pronouns in this deposition.

All speech-acts discussed so far are within the pragmatic space of verbal offences (see Section 3.2 and Figure 8.5 below). Many disparaging acts and non-violent acts of opposition fall into the category of actionable impoliteness since they were tried by ecclesiastical or secular courts. Non-actionable insults such as the expressive name-calling *thief* in example (2) above are rare. Instances of profane and obscene language were all legally punished except for James Alexander's sexual bragging. Alexander was sentenced for adultery, but not for his bawdy utterances (*St Andrews KS*, 1560-61: 63-72). Actionable impoliteness further comprises expressive curses and unfulfilled harm-inflicting commitments because the predicated violence remained symbolic. Violent acts of opposition, fulfilled threats and harm-causing curses fall outside the boundaries of impoliteness, because they were accompanied by physical harm. Threats of witchcraft and harm-causing curses oscillate between actionable impoliteness and verbal offences combined with non-verbal violence if the link between utterances and harmful events was not clearly confirmed by law-courts.

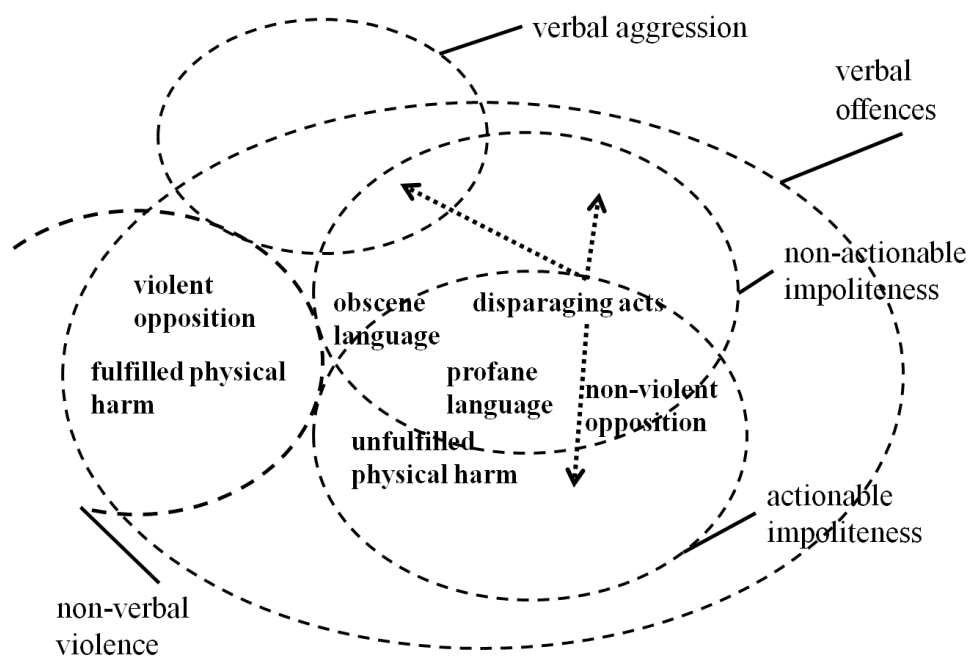


Figure 8.5: Pragmatic space of speech-act groups in Scottish court-records, 1560-1660

As a purely verbal offence, lying is separate from non-actionable and actionable impoliteness.¹³⁶ It shares the feature of not telling the truth with slander and slurs. The overlap is reflected in the use of metalinguistic labels. Labels evoking nonconformity with truth are employed to judge Margaret Philp's lie to cover her illegitimate childbirth, e.g. *falsely dis-*

¹³⁶ Since there is only one example of lying in the investigated court-records, I have not included the speech-act in Figure 8.5.

sembling, and to evaluate calumnies, e.g. *lie* (*St Andrews KS*, 1592: 728, *SJC*, 1641: 426-442). What distinguishes lying from truth-conditional disparaging acts is the attitude towards face₁. According to Culpeper's (2011a) impoliteness definition, impoliteness involves some understanding that a face₁-attack has taken place. Whereas slander attacks face₁, the face₁-saving attitude behind Margaret Philp's lie moves this speech-act outside the pragmatic space of impoliteness.

The category of verbal aggression¹³⁷ subsumes different acts of legitimised antagonistic behaviour, all occurring in the JC sub-corpus (Table 8.2). Law-courts not only played a central role in defining speech-acts as verbal offences (Culpeper and Semino, 2000: 113), but also in sanctioning potentially actionable behaviour. Euphame Kincaid's denouncing of Agnes Finnie as a *witch* was instantiated by the JC as a rightful accusation of witchcraft (example (4) above). In other cases, such name-calling was legally punished (e.g. *Aberdeen KS*, 1610: 74-75). Finnie's angry response implies an uptake of disparagement on her side. The overlap between verbal aggression and verbal offences accounts for such different co-existing perspectives (Figure 8.5).

Regarding the distribution of metalinguistic labels across speech-acts, JC and KS records draw on similar semantic categories but appear to be mostly distinct in their selection of specific labels, even for shared speech-acts. Connections to corresponding semantic categories are evident. Disparaging acts, for instance, are repeatedly labelled as damage to reputation, e.g. *slander* or verbal abuse, e.g. *flyting*. Physical harm in the propositional content of speech-acts is mirrored in terms used to evaluate those acts, e.g. *threat*. Acts of verbal aggression, e.g. legitimised slander or threats, could still be perceived as offences by parties other than the jury or judges, which explains the mix of labels in this category.

Other links are explained by speech-act situations and the wider socio-historical context. If uttered against authorities, disparaging acts and acts involving physical harm tend to be evaluated as a lack of respect, e.g. *irreverence* or lack of subjection, e.g. *sedition*. Moreover, moralistic language is found across all speech-act types in both sub-corpora. *Wicked*, for instance, was employed to judge disparaging acts, expressive curses and defiance (e.g. *SJC*, 1641: 430, *Aberdeen KS*, 1657: 139, *St Andrews KS*, 1593-94: 780). Likewise, labels of the religious domain are attested in most speech-act groups.

¹³⁷ For a definition of verbal aggression, see Sections 2.6 and 3.2.

Some high-frequency labels seem to be more specific to certain speech-acts while others were more widely applicable. *Calumny* is limited to acts of slander, including slanderous utterances among acts of verbal aggression, which were not prosecuted. *Slander* and *threat* tend to be closely linked to corresponding speech-act groups, but can sometimes be extended in meaning. Like *calumny*, *slander* is a typical legal term for acts of slander. When disparaging acts merge with acts of opposition against the church or church officials, *slander* occasionally occurs with a religious dimension of causing disgrace to the Bible, the foundation of Protestant faith, e.g. *sclander of godis wordis* ‘slander of God’s word’ (*Canongate KS*, 1566: 45, MS CH2/122/181, p.104). Moreover, expressed intentions of having alleged witches burnt for witchcraft are primarily threatening acts. By implication, they are also acts of slander and can be evaluated as such (e.g. *Aberdeen KS*, 1609: 71). *Threat* is a typical label of various acts involving physical harm, including acts with supernatural intervention and threats legitimised as verbal aggression. The function of *threat* is ambiguous in the following case: *hir husband | threatnit ye said robertsone calling hir ane witcheis Gett* ‘her husband threatened the said Robertson calling her a witch’s child’ (SJC, 1644-45: 665, MS NRS JC2/8, p.419). The instance occurs in a deposition relating to Agnes Finnie’s witchcraft trial and reports the intervention of Andrew Wilson in a flying exchange between his wife and Finnie’s daughter, Margaret Robertson. The descriptive speech-act verb *threat* introduces a slanderous utterance which was not prosecuted. Epithets denouncing people as witches’ offspring were otherwise evaluated as *injury* or *slander* (e.g. *Aberdeen KS*, 1606: 55, 1607: 57). Possibly, *threat* expressed a sense of intimidation implied by the epithet, i.e. the addressee’s mother would be burnt for witchcraft. It might also summarise a more explicit threatening act of which the epithet was recorded as a fragment.

High-frequency labels occurring across several speech-act groups comprise *crime*, *offence*, *injury*, and *blasphemy*. *Crime* and *offence* apply to verbal and non-verbal offences, and evoke a breach of law or morals in broader terms. The meaning of *injury* appears to capture different experiences of harm, for example, the damage to reputation caused by slander or the defilement of the Lord’s Supper through profane language (e.g. *Aberdeen KS*, 1610: 74, example (10) above). Likewise, *blasphemy* is not restricted to blasphemous acts. It is, for instance, used to evaluate a harm-causing curse, possibly conveying a period-specific view of witchcraft as usurping God’s power through a devilish alliance (*PitcairnT*, 1607: 525). Furthermore, *blasphemy* extended to acts of disparaging and defying church office-holders or the king as dedicated servants of God (e.g. *St Andrews KS*, 1561: 82-89,

PitcairnT, 1615: 359). The king was God's representative on earth (Chapter 6), a perspective which is reflected in the indictment against John Fleming. Fleming cursed James VI and defied the king's orders. He was accused of *dyuers tressonable blasphemous and damnable* | *speiches vtterit be him to Johnne Lawder minister aganis* | *our souerane lordis most sacred persone* 'diverse treasonable, blasphemous and damnable speeches uttered by him to John Lawder, minister, against our sovereign lord's most sacred person [i.e. the king]' (*PitcairnT*, 1615, MS NRS JC2/5, f.165v). The person-reference for James in this record indicates how closely the king was associated with God's holiness. Additionally, *blasphemy* was part of the inventory for judging sexual slander (example (12)):

- (12) The *quhilk* day rychart scuggald *complanit*
vpoun *margrat* kincad for Iniring of his vif
calling hir common hur ye said *margrat*
[p.175]
biand *present* denyis ye sam biand proven It
Is ordannit be ye bailles assestane *with* ye kirk
yat ye said *margrat* kincad yair In yair *presence*
& ye *nychtbouris* assemblet for *yat* caus ask for
gevinis to ye said rychart & *mariorie* sayand *schir*
I *confes* to haue offindit 3ow & 3our wif and
desiris 3ow for godis saik to forgif me *confessand*
heir In ye *presence* of ye assemble to haue offindit
3ow & knawis no thing to 3our wif bot gud
& honeste and gif *ever* ye said *margrat*
herefter beis found **blesphemying** ye said rychart
& his wif to be tane & brankit

'Which day Richard Scuggald complained upon Margaret Kincad for injuring of his wife calling her "common whore". The said Margaret, being present, denies the same. Being proven, it is ordained by the baillies, agreeing with the kirk, that the said Margaret Kincad, there in their presence and the neighbours assembled for that cause, ask forgiveness of the said Richard and Marjorie, saying: "Sir, I confess to have offended you and your wife, and I desire you for God's sake to forgive me, confessing here, in presence of the assembly, to have offended you, and I know nothing of your wife but good and honesty." And if ever the said Margaret hereafter is found blaspheming the said Richard and his wife, to be taken and put in branks [i.e. iron bridle used as a form of public punishment, see Todd (2002: 142)].'

(*Canongate KS*, 1567, MS CH2/122/181, pp. 174-175, emphasis mine)

Scuggald's name does not appear in election lists of Canongate KS members around this case. Hence, the choice of *blasphemy* as a synonym for *slander* was probably not motivated by the offended party holding a sacred office. The only sacred element under attack in this example was marriage (see Graham, 1996: 24). Metalinguistic labels thus convey first-order perceptions of *blasphemy* that go beyond the more prototypical profanity of example (10) above.

8.5. Variation across record-types

Lawsuits consist of different record-types representing the different stages of cases (see Chapter 7). The aims of this section are twofold: to assess the range of metalinguistic labels in the various trial sections, and to investigate the distribution of high-frequency labels to obtain insights into their pragmatic functions.

Record-types in JC cases mainly represent the voices of prosecutors, defence counsel, defendants, jury, judges, and witnesses. Each of these voices can blend with, or be replaced by, scribal language since all surviving documents of legal proceedings were mediated by scribes (Section 7.4). Bearing scribal intervention in mind, it is noteworthy that the highest variation of metalinguistic labels of verbal offences is attested in prosecution records, i.e. indictments, prosecution sequences in process minutes, and a supplication submitted by prosecutors. The number of labels in these records amounts to 88 out of 115 different labels (77 per cent, Table 8.3). Indictments are the most prolific source of labels. By comparison, the range of metalinguistic labels in other record-types is much lower. Some figures may be low because record-types tend to be short or infrequent in the JC sub-corpus (see Section 7.5.3). Because of limited funding, it was beyond the scope of this project to digitise texts and obtain word-counts. Otherwise, normalised figures could have been calculated to test if metalinguistic labels have a higher ratio in indictments than in other record-types or if variation patterns are affected by the amount of text available for each record-type.

Table 8.3: Variation of metalinguistic labels of verbal offences across record-types in the JC sub-corpus. Percentage of variation refers to the total number of 115 JC labels.

Record-type JC	Number of different labels	Percentage of variation
General process minutes	22	19%
Prosecution	88	77%
Indictments separately	85	74%
Defence	32	28%
Jury verdict	18	16%
Sentence	7	6%
Parliamentary verdict	12	10%
Depositions	25	22%
Summons	6	5%
Interrogatory	3	3%
Warrant	3	3%
Past utterance-event	3	3%

Still, the figures appear to correspond to pragmatic functions of different records. The purpose of indictments was to persuade the jury and judges that accused persons were guilty of the crimes laid to their charge (Walker, 1996: 538-539). Gillon (1953: 9) describes the style of Sir Thomas Hope's indictments as "Carolean invective", presumably because of his repetitive use of accusatory terms (see example (1) in Chapter 7).¹³⁸ A high density of metalinguistic labels could be an effective device employed by prosecutors to hammer home to the courtroom audience how much the defendant deserved to be punished. The parliamentary verdict on the alleged leasing-making of John Stewart fulfilled a similar function (SJC, 1641: 435-436). It was read out during JC proceedings before the jury took verdict. Given that it is the only example of its kind in the JC sub-corpus, the variation of metalinguistic labels is rather high.

Defence sections consist of process sequences attributed to defence counsel and defendants, and a supplication submitted by a defendant. The use of metalinguistic labels in defence sections had referential and persuasive functions. On the one hand, the defence's use of labels was deictic, repeating labels of indictments to introduce their objections against charges, e.g. *Anent ye Alledget Curseing | and threatning* 'with respect to the alleged cursing and threatening' (SJC, 1644-45: 652, MS NRS JC2/8, p.409). On the other hand, the defence intentionally modified prosecution labels to challenge the prosecution's perspective, for example, stressing the lack of proof by adding the modifier *alleged*. Moreover, they selected different labels than the prosecution to reinterpret speech-related evidence. For instance, Agnes Finnie's defence tried to cancel the ascribed criminal intention of witchcraft constructed by the prosecution's *devilish threatening* by objecting that the quarrel between Finnie and her debtor was only *flyting* without *enmity* on Finnie's part (SJC, 1644-45: 653, example (4) above).

Metalinguistic labels in jury verdicts convey the jury's collective judgement of offences, while labels in sentences can be attributed to the judge or the dempster, who read out the sentence on the judge's behalf (e.g. *PitcairnT*, 1622: 536). Again, scribal intervention is probable in all of these record-types. Lower variation in closing sections of trials was possibly influenced by the fact that at that stage all the evidence had been heard and discussed; hence, elaborate evaluations of offences were no longer needed. In general process minutes, scribes might have reproduced labels used by judges or simply made their own choices when summarising proceedings.

¹³⁸ Hope was Lord Advocate in seven cases in the JC sub-corpus between 1629 and 1649.

In depositions, verbal offence labels are not a prominent feature, which appears to correlate with the function of depositions of pre-trial recording of facts about offences. Still, evaluative comments were not suppressed. It cannot be ascertained if labels represent witnesses' perceptions or were added by scribes (see Section 7.4). The extent to which metalinguistic labels were employed in deposition-taking does not seem to vary much across different sources, e.g. JC, Privy Council or KS, apart from Perth burgh court depositions (see Chapter 7). Many depositions taken before the Perth burgh council are brief; metalinguistic labels of verbal offences are even rarer than in other depositions.

Verbal offences were rarely evaluated on the discourse level of cited utterance-events. One of the few examples is Issobell Greirson's complaint about being slandered for witchcraft (example (2) above). Court-records seem not to offer many glimpses into perceptions of behaviour expressed in everyday situations outside courtrooms.

Record-types in the KS sub-corpus mostly represent the collective voice of the session, mediated by the scribe. The variety of verbal offence labels is higher in KS minutes relating to the ongoing process than in closing sections, i.e. confessions, verdicts, monitions, and penance instructions (Table 8.4). Other record-types are infrequent (see Section 7.5.4), which accounts for the lower range of metalinguistic labels in those documents. Depositions in the KS samples are too rare to reveal the role of verbal offence metadiscourse in KS deposition-taking. The higher label variation in process minutes and verdicts might reflect their purpose to define the offence. Due to scribal mediation of KS records, the precise source of metalinguistic labels remains uncertain.

Table 8.4: Variation of metalinguistic labels of verbal offences across record-types in the KS sub-corpus. Percentage of variation refers to the total number of 68 KS labels.

Record-type KS	Number of different labels	Percentage of variation
General process minutes	42	62%
Closing sections	32	47%
Depositions	9	13%
Petition	14	21%
Summons	8	12%
Supplication	4	6%

With respect to the distribution of high-frequency labels, some are more specific to certain stages of a suit while others show no such restrictions. *Devilish* is a typical prosecution

label in JC cases. Except for one example in general process minutes, instances occur in prosecution papers. In comparison with *devilish*, *calumny* and *threat* have wider distributions. *Calumny* spreads across eight record-types, *threat* across four. For both labels, more than half of all examples are attested in prosecution sections, which might be due to the aforementioned repetitive style of indictments. Incidentally, of all high-frequency labels in the JC sub-corpus, only *threat* occurs in depositions.

The most versatile label in JC proceedings is *crime*, with occurrences across ten different record-types. More than half of all instances occur in general process minutes and closing sections. *Crime* is conspicuously rare in indictments, which might correlate with the purpose of indictments to be specific as to the nature and kind of crimes allegedly committed by the panel (Walker, 1996: 539). *Crime* must have been too general in meaning; hence, preference was given to labels which evaluated offences more precisely. Generally, *crime* fulfilled deictic functions, such as a summarising reference in process minutes to more elaborate accounts of the verbal offence in the indictment, e.g. *the saidis crymes* (*PitcairnT*, 1615: 360, MS NRS JC2/5, f.166v).

In the KS sub-corpus, the label with a more limited distribution is *offence*. 32 of 38 instances of *offence* occur in the final sections of cases, while the remaining examples are attested in process minutes and a summons. *Offence* seems to serve primarily as a more general label used in closing formulae of KS proceedings, standing in for various offences. In William Morton's penance instructions, *offence* briefly recaptures his misbehaviour against the minister of Crail, which in preceding process minutes was more specifically evaluated as *menace*, *boast* and *injure* (example (5) above and (13) below):

- (13) And ye said wyliam mortoun of cambo to compeir day &
place foyrsayd and confes his foyrsayd offence In ye presens of god
and the congregacioun hwmyll hym self on his kneis ask god
mercy ye said Johan malwyll in speciall and ye holl congre
gacion forgyfnes
'And the said William Morton of Cammo to appear day and place aforesaid and confess
his aforesaid offence in the presence of God and the congregation, humble himself on his
knees, ask God mercy, the said John Melville especially and the whole congregation for-
giveness'
(*St Andrews KS*, 1561, MS CH2/316/1/1, p.59)

Among the labels with a wider distribution in the KS sub-corpus are *slander* and *injury*. Examples of slander spread across five record-types, with major distributions in process

minutes and closing sections (33 and 37 of the 73 instances respectively). *Injury* is attested in four record-types, and prominently in process minutes (17 out of 25 instances).

In sum, distributions of metalinguistic labels are not arbitrary but can be explained by considering the pragmatic functions of records and of the labels themselves. Higher variation of labels seems to correlate with communicative needs of negotiating perceptions of offences and making the courtroom audience incline to one's views of guilt. Record-types with lower variation of labels appear to be those in which offences were summarised or recorded more factually. *Devilish* was a prosecutors' preference presumably because its strong moral connotations helped to denounce defendants as reprobates. The wider distribution of *calumny*, *threat*, *injury* and *slander* across different sections of suits probably indicates a double function of these lexical clusters: they were precise enough to define offences in arraignment sections of a trial, while also being used to recapture offences in general process minutes and closing sections. With respect to the latter function, these labels might have served as hypernyms for semantically related, more specific, labels, e.g. *slander* for *backbite*. Because *crime* and *offence* could stand in for various criminal and moral offences, they could be employed at practically every stage in legal proceedings. At the same time, because they were general in meaning, they were less preferred when specific judgements of behaviour were important.

8.6. Variation across parishes

While the influence of different courts on the JC legal discourse has been considered in Section 8.5, regional differences in the use of verbal offence labels across KS samples still needs to be examined. Perth is not considered in the following variation analyses because the sample is too small to allow for comparisons. The largest sample, i.e. the *St Andrews KS*, contains the largest number of metalinguistic labels, namely 48 out of 68 KS labels (71 per cent).¹³⁹ The second largest sample, Aberdeen, contains 34 out of 68 labels (50 per cent). In the *Canongate KS*, eight different labels are attested (12 per cent). The variation of metalinguistic labels seems to increase with sample-size; in particular, it might be affected by elaborate cases with many labels, as they occur in the *Aberdeen KS* (e.g. 1609: 70-73) and *St Andrews KS* (e.g. 1561: 104-111). Additionally, scribal influence might be important: The brief period of the *Canongate KS* is covered by one scribe, whereas more scribes must have been involved in the other two samples (see Section 7.5).

¹³⁹ For a discussion of sample-size, see Chapter 7.

High-frequency labels show different patterns of usage across the larger samples. In the *St Andrews KS*, high-frequency labels are prominent, scoring more than ten examples, while other labels are below ten occurrences. In contrast, the verbal offence metadiscourse in the *Aberdeen KS* is dominated by *slander*, with 46 out of 111 total label occurrences (41 per cent). Given the high proportion of defamation cases in the sample, this finding is not surprising. Otherwise, no other label stands out. *Slander* is also one of the major labels in the *St Andrews KS*, but competes with *offence*, with 24 and 23 out of 169 occurrences respectively. With only two occurrences, *slander* is rare in the *Canongate KS*. Most cases in the *Canongate KS* are defamation cases. Hence, the minor role of *slander* is unexpected and suggests that defamation was evaluated in different terms, e.g. *offence* or *injury*. *Offence* is the main lexical cluster in the *Canongate KS*, with 10 out of 23 occurrences for all labels in this sample, whereas other high-frequency labels are rare or absent. Thus, the high occurrences of the overall top-scoring metalinguistic labels might to a great extent be the result of lexical choices in the largest sample, i.e. the *St Andrews KS*, while their role can be insignificant in the verbal offence metadiscourse in other parishes.

8.7. Face₁ and social rights/obligations in the language of verbal offences

Some hints have already been given about links between metalinguistic labels and impoliteness constituents; this section pulls these strings together. Discussion concentrates on more prominent labels and categories. No attempt is made to categorise all labels in terms of face₁ and social rights/obligations, above all because other aspects are involved. Some labels convey perceptions of intentionality, e.g. labels of malevolence, or negative emotions. Furthermore, some labels have broader meanings which do not apply to a specific constituent, e.g. *offence*.

The categories of verbal offence labels evaluating face₁-attacks are damage to reputation, causing disgrace and verbal abuse (Figures 8.1 and 8.3 above). Labels of misbehaviour against authorities can refer to face₁ and social rights. *Contempt*, for instance, conveys a sense of devaluing the target, but also implies breaches of social obligations of obedience and respect of parishioners towards the church.

Moreover, metalinguistic labels can be related to different components of social rights/obligations. Some labels refer to breaches of obligations in social relationships. *Slander*, for instance, was repeatedly judged as *ungodly* by the *St Andrews KS* because it

violated norms of behaviour in a godly community. *Treason* in JC records expresses a breach of allegiance of subjects towards their monarch, which was highly criminal. Labels of speech involving physical harm, e.g. *threat*, can be linked to Culpeper's (2011a: 42-43) concept of physical self. Within his impoliteness concept, threats against the physical self are not put into action. Scottish court-records also report situations in which the physical self of targets was actually or allegedly harmed, e.g. fulfilled threats and harm-causing curses. Obscene/profane language in court-records gives insights into period-specific notions of taboo language. Taboo language breaks conventions by uttering the "unspeakable" (Arnovick, 1999: 89). Understandings of what counts as taboo in a society or community are established by those in power and change over time (Arnovick, 1999: 89, Jay, 2009: 153-154). Public bragging about extra-marital affairs, e.g. *jape*, was primarily a violation of community norms of purity, e.g. *filthy language*, and piety, e.g. *ungodly* (*St Andrews KS*, 1560-61: 64). Norms of purity were defined by the Reformed Kirk, but also shared by parishioners, as shown in a woman's account of her husband's ostentatious display of his adultery (*St Andrews KS*, 1560-61, MS CH2/316/1/1, p.35). Instances of taboo language could be mixed with face₁-issues.¹⁴⁰ William Tuedie's obscene language, for instance, was part of an act of defiance and disparagement targeted at the king and royal representatives (example (14)):

- (14) Bot lykwayis, the said
william at ye same tyme, maist tressonabillie
vnreverentlie sclanderuslie and vndewtiefullie said
to the saidis constables That he wald nocht gif
ye scab of his ers for his sacred *maiestie* and lordis
of his hienes secreit counsell And bad his *maiestie*
and thame *cum* and kiss his ers [...]

'But likewise, the said William, at the same time, most treasonably, irreverently, slanderously and undutifully said to the said constables that he would not give the scab of his arse for his sacred Majesty and Lords of His Highness' Privy Council; and bade his Majesty and them [to] come and kiss his arse'

(*PitcairnT*, 1612, MS NRS JC2/5, f.28v)

His invective was judged as a breach of social obligations, e.g. *undutiful*, but also as a face₁-attack, e.g. *slandorous*. Furthermore, the terms *treasonably* and *irreverently* – together with the third-person reference term *his sacred maiestie* – convey that the face₁-attack was understood as a breach of respect against the highest level of God-given hierarchies. Taboo language also seems to merge with face₁-implications in "attacks on religion" (Jay, 2009: 154). John Downy's blasphemy in example (10) above was evaluated as *injuri-*

¹⁴⁰ See Section 3.5.2 for a discussion of the constituents of taboo language.

ous, and thus as hurtful as slander (e.g. *Aberdeen KS*, 1610: 74). The religious taboo language of blasphemy was more than a violation of social conventions. It was probably regarded as a demeaning attack on the (indirect) target and those parties inextricably intertwined with it, e.g. the church and God as an acknowledged sovereign agent (see Arnovick, 1999: 89).

8.8. The language of offence in legal records versus other contexts

This chapter's findings are now compared to findings of earlier chapters and related studies. Firstly, the focus is on differences and similarities between court-records and correspondence (see Chapters 5-6). Secondly, the findings of this study are juxtaposed with Culpeper's (2011a) list of present-day impoliteness metalinguistic labels, Bös's (2014) findings for evaluations of "verbal misconduct" in 19th-century newspapers and McEnery's (2006) investigation into 17th-century attitudes towards bad language.

Communicative purposes behind the *Breadalbane* letters and James's correspondence were essentially, yet not completely, different from those of legal records. The investigated letters mainly dealt with clan or state management. Pragmatic functions of letter-writing partly overlap with those of ecclesiastical and criminal court-proceedings. One of James's letters to Maitland, for instance, contains instructions on witchcraft cases (BL Add MS 23241, f.40). Furthermore, Argyll's letters reflect his judicial role as chief. He used correspondence to investigate complaints which he received from his subordinates about misbehaviour of other clan-members (see Chapters 4-6). The aim of establishing the facts in a clan conflict is similar to legal examinations, especially to the local operations of KS. Still, in comparison with the institutionalised prosecution of offences, conflict-negotiations in correspondence were less formalised. It is therefore less surprising that many high-frequency labels in the JC and KS sub-corpora, e.g. *calumny* or *slander*, are absent in letters. *Breadalbane* correspondents used *crime*, but only for non-verbal offences. *Threat* occurs next to the Scots variant *boast* in JC and KS records, whereas *Breadalbane* correspondents only used *boast*. James employed *threat*; however, the sample of his correspondence is too small to permit conclusions on his preferences.

Some labels appear to be more characteristic of the metalanguage of offence in correspondence. Although *sharp* is a shared label across samples of correspondence and court-records, it is more prominent in letters while it occurs only once in KS proceedings. More-

over, *un/kindness* and *unfriend*, two important terms in the *Breadalbane* letters, are absent in the JC and KS sub-corpora. In the *Breadalbane* correspondence, these labels served to express experienced breaches of obligations within social networks. Although court-records have related labels of *enmity* and *uncharitably*, these terms were used to negotiate standard elements of actionable offences rather than relationships between interlocutors. The function of letters to settle minor offences on a more personal rather than institutional level is further reflected in labels for non-actionable impoliteness, e.g. *crabit* and variants of *discontent*. By contrast, experiences of offence in court-records tend to convey a higher gravity. If offences were taken to court, expressions of being crossed or displeased must have been insufficient for making strong claims that one had been seriously wronged.

Despite different functions, letters and court-records also show overlaps in the moral and religious dimension of their conflict-narratives. *Offence* and *duty*, for instance, are shared lexical clusters across the *Breadalbane* letters and James's correspondence. Furthermore, words which were seen as damaging to social relationships were evaluated by *Breadalbane* correspondents as *ewill seyde* 'evil seed' or *ye dewillis seid* 'the devil's seed' (MS NRS GD112/39/2/21 and 8/22). Additionally, *wicked* and *ungodly* were labels assigned to the MacGregors by different correspondents in the BreadC (e.g. GD112/39/8/5, 8/7a and 9/5). After all, the investigated letters and court-records were written by people whose lives were shaped by the Scottish Reformation in one way or another. The fact that the metadiscourse on verbal offences in two different genres was coloured by similar moral and religious notions might plausibly be explained by the broadly shared socio-historical context.

Furthermore, *honour*, a key face₁-concern of upper-rank correspondents, was claimed to be seriously threatened in the JC case of the 8th earl of Argyll against John Stewart (SJC, 1641: 426-442). Similar to examples in correspondence, *honour* was regarded as the most precious, yet vulnerable, part of a higher-rank person's reputation. John Stewart was accused of spreading lies about the 8th earl of Argyll, which presented the latter as a traitor to king and state and thus affected his *honour*. Apart from this case, only one occurrence of *honour* was spotted in court-records. It has been excluded from this study because it relates to non-verbal actions (*St Andrews KS*, 1590: 674). Nonetheless, it is noteworthy that *honour* in that case was attributed to a woman of presumably middle or lower rank. Otherwise, it appears that the equivalent of *honour* for commoners was *honesty*. The *honesty* of a woman falsely accused of sexual immorality or witchcraft had to be repaired in penance rituals (example (12) above). *Honesty* was not reserved for mediating commoners' public

self-image. It could likewise be assumed as a positive self-aspect by higher-rank correspondents (e.g. BreadC, MS NRS GD112/39/2/5). A future corpus linguistics approach to *honour* and *honesty* might shed further light on social rank preferences of these terms.

Differences increase when comparing the findings of this study to present-day impoliteness metadiscourse, albeit not only because of the time-gap. Culpeper's (2011a: 100) data consist of impoliteness reports collected from present-day British students. The present investigation is not limited to impoliteness, but considers verbal offences in a broader sense as they were reported in 16th-/17th-century Scottish correspondence and court-records. Law-courts in particular dealt with actionable offences rather than non-actionable impoliteness. Thus, the fact that impoliteness metalinguistic labels in Culpeper's (2011a) list are largely different from findings in this study is interpreted with caution. It goes almost without saying that typical labels for actionable impoliteness, e.g. *calumny*, are absent in present-day reports of impoliteness. Still, some of the differences might actually be traces of how much the language used by British people to talk about offences has changed. On the one hand, terms which are commonly associated with impoliteness today are not or are scarcely found in 16th-/17th-century Scottish texts. For example, *rude*, one of the most frequent labels in Culpeper's (2011a: 94) findings, only occurs once in a letter by James (Chapter 6). Moreover, verbal offences in early modern Scottish correspondence and court-records were not evaluated as *insults* or *impolite*. By comparison, *insulting language* was one of the most common labels for verbal misbehaviour in 19th-century newspapers, while *rude* and *impolite* are also attested (Bös, 2014). On the other hand, Scottish correspondents and scribes in the past used terms which seem to have disappeared in Late Modern English evaluations of verbal offences. Chivalric concepts of *honour* and *duty* are absent in events of misconduct reported by present-day British students and Victorian news-writers (Culpeper, 2011a: 94, Bös, 2014). Additionally, the impoliteness metadiscourse of present-day British students lacks the moral and religious dimensions found in Scottish letters and court-records four hundred years earlier. Moralising and religious metalinguistic labels are still more evident in Victorian newspapers, e.g. *vile* or *blasphemous language*, and in publications of the Society for the Reformation of Manners in the late 17th and early 18th centuries, e.g. *wicked*, *sinful*, etc. (Bös, 2014, McEnery, 2006: 94). Moreover, the Society for the Reformation of Manners still employed *honour* and *duty* to express attitudes towards bad language (McEnery, 2006: 94).

Some labels are shared across time and different purposes of offence-reports. *Offence*, for instance, occurs in each of the four studies under discussion (Bös, 2014, Culpeper, 2011a: 94, McEnery, 2006: 94). *Threat*, a typical label in JC records, was prominent in 19th-century newspapers and is still employed to express experienced intimidation today (Bös, 2014, Culpeper, 2011a: 94). Additionally, the impoliteness metadiscourse of present-day British students contains several labels which are semantically related to terms in 16th-/17th-century Scottish court-records. *Hurtful*, for instance, might be a modern everyday equivalent of the early modern legal term *injurious* (see Culpeper, 2011a: 94).

Comparisons made in this section are not comprehensive. The studies discussed here investigate offence-reports only for specific groups or genres at selected points in time. Our current knowledge is too limited to describe diachronic changes in British verbal offence metadiscourse or characteristics of different regions and genres. Even so, it seems that some key notions of the metalanguage of offence used by people in the past have been replaced by different concepts, probably also reflecting shifts in social structures and views on morals and religion. By contrast, some words, such as *offence*, appear to be part of a more permanent inventory of terms employed to communicate when someone's language caused offence.

8.9. Conclusion

Metalinguistic labels in 16th-/17th-century Scottish legal proceedings are institutionally mediated perceptions of verbal offences. Overall, the metalanguage of offence in the JC's criminal trials and the ecclesiastical proceedings of KS drew on similar semantic categories, while the range of specific terms was largely distinct between the two court-types. Each court-inventory was characterised by a core of some frequently used standard terms, complemented by a wide range of low-frequency items. The diversity of rare labels might be influenced by various factors, for instance, scribal variation or scribal recordings of more situated lexical choices by different parties in lawsuits. Collocation patterns have revealed some apparently more formulaic lexical bundles of verbal offence labels. Distribution patterns of metalinguistic labels across speech-acts are largely determined by the semantic content of terms and contextual factors, such as religious and moral dimensions in the early modern Scottish legal system and the notion of God-given hierarchies (see Goodare, 1999 and Kennedy, 2012). Some high-frequency labels were more specific to certain offensive speech-acts or trial sections while other terms appear to have been more

widely applicable. Distribution patterns of labels across record-types seem to correspond to communicative purposes at different stages ranging from less evaluative recording of facts to the highly evaluative tone of courtroom accusations. Moreover, the verbal offence meta-discourse in KS varied across parishes and probably also across scribes.

The rich blend of verbal antagonistic behaviour attested in the JC and KS sub-corpora was structured into groups of neighbouring speech-acts. Non-actionable impoliteness appears to be rare in Scottish court-records between 1560 and 1660. Verbal offences, even if not accompanied by physical violence, were usually answered by lawsuits or re-defined as verbal aggression. Because ecclesiastical courts dealt with moral offences rather than “breach[es] of the law” (Smith, 1972: xii), most verbal offences tried by KS are part of the overlap between actionable and non-actionable impoliteness. Court-records permit access to a limited range of offensive behaviour. Trial-proceedings do not show all offences committed in a community, only cases which were taken to court (see Graham, 1996: 85, 87).

Verbal offences involved various constituents of face₁ and social rights. Face₁-attacks were a primary concern in disparaging acts. Evaluations of offences against authorities indicate that notions of face₁ overlapped with expectations of respect and obedience in hierarchical relationships. Many utterance-events recorded as legal evidence convey dispositions to attack other participants physically. Witchcraft trials in particular testify to period-specific beliefs that spoken words could be used not just to intimidate, but actually cause physical harm. Examples of taboo language illustrate heightened sensitivities towards obscenity and profanity shaped by prevailing religious and moral attitudes at the time. Especially when targeted against the king or church office-holders, verbal misconduct was judged as a desecration of the consecrated status attributed to those authorities.

Comparisons of offence-reports in Scottish court-records with those in other contexts revealed differences and similarities. In contrast to the institutional context of court-records, 16th-century Scottish correspondence seems not to have encouraged the use of legal offence terms for conflict-settlements. Instead, comments on misbehaviour were part of negotiating interpersonal and intergroup relations with other correspondents (Chapters 5-6). Despite these differences, offence-reports in both genres showed shared moral and religious expressions and courtly language of *honour* and *duty*. There are still too many gaps in current research on verbal offence labels from the early modern period to the present to draw conclusions as to when and in which contexts the emphasis on honour, morality, and

religion declined in evaluations of behaviour. As has been argued in this chapter, the religious dimension was not pervasive in early modern Scottish legal terms for verbal offences. It was more pronounced in KS penance rituals, as shown in the next chapter.

9

Conflicts in Scottish court-records between private and public

9.1. Introduction

A few years after the Reformation, the St Andrews KS praised God for the successful establishment of godly order in the parish, or what they called *ye face of ane perfyt | reformed kyrk* ‘the face of a perfect Reformed church’ (*St Andrews KS*, 1564: 198, MS CH2/316/1/1, p.114, see also Dawson, 1991). *Face* as a first-order term has not been found with respect to verbal offences in this study; however, what has been found are expressions conveying face₁-attacks (Section 8.7). This chapter takes a different angle on face in conflicts by examining the intersections of verbal offences with contextual aspects of private and public, as outlined in Chapter 3.¹⁴¹ What range of non-public and public contexts can we find in the selected cases? How do verbal offences affect individuals and collectives? How are notions of offensive language shaped by non-public/public dimensions of offence-settings?

The presentation of findings is divided into four topics. Firstly, offence-settings of recorded conflictive interactions are described with regard to the accessibility and conflict-scope, and how these dimensions shifted through legal intervention in conflict-negotiation. Secondly, derogatory expressions in cited utterance-events are linked to individual and collective categories of face₁ and social rights. Since cases were initiated by private litigants or on behalf of institutions such as the church, I anticipate that derogatory expressions reflect various shades of more individual-based and more group-based aspects of offence constituents. Furthermore, conflict-scope is investigated by tracing how the experience of offence was shared in verbal attacks against individuals. The last topic concerns interrelations of private-public with period- and situation-specific understandings of offence. Finally, conclusions are drawn based on the main observations.

9.2. Offence-settings

As in correspondence, reconstructions of private-public dimensions in court-records are affected by the lack of contextual information and often remain probabilistic. Source texts

¹⁴¹ Terms used in this chapter to describe private-public aspects of conflict-situations, e.g. offence-setting, conflict-scope, etc., are all defined in Section 3.6.

can be vague about where a past communicative event took place, the number and kind of participants present, etc. The evidence nevertheless reveals that offence-settings in the JC and KS sub-corpora show a spectrum of non-public and public dimensions. Regarding accessibility, both courts record communicative events at which only two or three interlocutors were present. Conspiracies in particular are characterised by the deliberate restriction of access to very few participants. Apart from John Hay, the fourth earl of Bothwell had seven other accomplices; however, none of them witnessed his attempt to bind Hay to silence (example (6) in Chapter 8). In a KS case, a family servant gave key evidence for a brother's attempt to force his sister into a marriage contract, as he was *alan in cumpany* | *wyth* 'alone in company with' the siblings in the chamber where the threatening took place (*St Andrews KS*, 1565, MS CH2/316/1/1, p.137). Furthermore, both sub-corpora contain conflictive interactions which took place in front of many people. William Morton, for instance, intimidated the minister of Crail during a Sunday service, which was the most public setting in early modern Scottish parishes (see example (5) in Chapter 8, Todd, 2002: 237). Other public places, which also occur in JC cases, are high streets of towns (Todd, 2002: 237, e.g. *PitcairnT*, 1622: 522). Between these two extremes, there are various degrees of more non-public and more public contexts, e.g. verbal offences committed in ordinary people's houses (example (4) in Chapter 8), before KS (e.g. *Aberdeen KS*, 1603: 24-25), at the royal court¹⁴² (e.g. *SJC*, 1631: 179-180) or in rural or urban neighbourhoods (examples (2) and (12) in Chapter 8). In general, privacy in early modern Scottish communities was limited because towns were densely populated and people kept a close watch on each other (Todd, 2012: 15, 47). Thus, even when conversations were held in ordinary people's houses, they were likely to have been overheard by neighbours unless court-records specifically state that there were no other witnesses.

Likewise, the scope of conflicts which were brought before law-courts ranges from internal family quarrels to public upheavals of groups of people against king and state. Differences between JC and KS cases arise from their different judicial roles (see Chapter 7). Conflicts in the domestic sphere, such as Catherine Anderson's cursing of her parents, were typical of KS jurisdiction (example (8) in Chapter 8). Internal family conflicts were only remitted to the JC if they contained criminal elements, such as Issobell Young's prediction of harm targeted at her husband (*SJC*, 1629: 102). The same applies to small-scale conflicts between two or more people of different families. KS records abound in falling-outs between neighbours, as evidenced by numerous slander suits (example (12) in Chapter 8). In JC

¹⁴² For access restrictions to the king's presence, see Chapter 6.

records, inter-individual conflicts are common in cases of witchcraft or slaughter (example (4) in Chapter 8, SJC, 1638: 290-294). Utterance-events recorded for witchcraft trials represent accumulations of inter-individual conflicts into a more community-based persecution of alleged witches. In elaborate witchcraft trials, such as those of Agnes Finnie or Isobell Young, many of their neighbours testified against them. Moreover, a community reputation of being *ane manifest witche* was accepted by judges as proof of guilt (Gillon, 1953: 120, e.g. SJC, 1629: 112, MS NRS JC2/6, f.273r).

Inter-individual conflicts took on more non-private qualities if they involved institutional representatives. William Morton's verbal attack against John Melville was an offence against an individual acting in his institutional role as minister of the parish church (example (5) in Chapter 8). The most public person was the monarch. In contrast to moral transgressions of opposing local KS members, antagonism towards the king constituted a crime and fell under JC jurisdiction (example (14) in Chapter 8). Conflict-scope further increased when individuals showed defiance against collective authorities, such as the church as an institutional body (example (3) in Chapter 8).

Towards the far end of the individual-collective scale participants are part of conflict-groups. Intergroup conflicts mediated by group-members occur in both court-types. Amongst the JC cases, the 9th lord Maxwell's murder under trust of Sir James Johnstone was part of a "long-running feud" between their kin-groups (ODNB). Charles Maxwell's angry accusation *ze ar all tratouris* 'you are all traitors', which he hurled at William Johnstone before shooting at him, included not only the Johnstones who were present, i.e. Sir James and William, but all of their surname (*PitcairnT*, 1609: 47, MS NRS PC10/8A, Item VIII/119). In towns, conflicts could break out between different occupational groups, such as the contention between bakers and millers recorded in the *Aberdeen KS* (1657: 138-139). The miller John Cowtes had to appear before the session because he had protested against orders of grinding corn for the bakers on Christmas day and because of his cursing: *He wished yat the baxtar boyes brake yair legges yat | bade him worke one yuillday* 'he wished that the baker boys broke their legs that bade him work on Christmas Day' (*Aberdeen KS*, 1657: 139, MS CH2/448/6, p.263). Apparently uttered only in the hearing of Cowtes's servant William Smart, the expressive curse was aimed at the bakers as a collective. The bakers' interests were represented before the KS by Patrick Murray and Peter Hill, both bakers in Aberdeen (*Aberdeen KS*, 1657: 138-139). In intergroup conflicts, in which one conflict-party represented an authority, that party would use their institutional

power to defeat the other. The church of Aberdeen's dispute with a group of recusants, for instance, was resolved by a sentence of excommunication against the dissenters (*Aberdeen KS*, 1622: 101-109). In written appeals preceding the court hearing, the recusants accused the KS of partiality as they had been charged heavy fines for not partaking in Protestant worship.¹⁴³ Eventually, the heads of their families were summoned before the archbishop and ministers of Aberdeen. The recusants' speeches, which contained their final refusal to convert to Protestant faith, were evaluated by the archbishop as a display of *contempt* against the church (*Aberdeen KS*, 1622: 109). Because the recusants claimed that religious tolerance was about to be granted through a royal warrant, they were further accused of disrespectful behaviour towards the king. As a JC example, the alleged conspiracy of Gowrie and his followers against the king was crushed by the king's supporters (example (6) in Chapter 8). Since Gowrie was provost of Perth, Alexander Ruthven and other family-members stirred up a town riot as they reproached inhabitants for not helping their provost. After law and order was re-established by the bailies, the Privy Council commissioned the Perth burgh court to prosecute anyone who had spoken *irreverent* words against the king or his royal servants (*PitcairnT*, 1600: 192-203).

Conflict-scope and public accessibility may have corresponding or contrasting degrees. Antagonism between family-members might not have been exposed to anyone else apart from household-members before legal intervention (e.g. *St Andrews KS*, 1565: 234-238). Likewise, verbal offences against the king and royal servants could be uttered during town riots and thus be overheard by many people (e.g. *PitcairnT*, 1600: 192-203). By contrast, individuals had their personal quarrels in public places, and plots to destroy royalty were devised in secret (e.g. *PitcairnT*, 1622: 522, example (7) in Chapter 8).

Private and non-private aspects of conflicts further changed throughout legal proceedings. The intervention of criminal and ecclesiastical courts added an institutional dimension of more detached conflict-negotiation. In cases in which the offended party was an institutional representative or an institution, their plaintiff role in legal interactions overlapped with that of the public prosecutor or judge, as for instance, in the Aberdeen KS's prosecution and conviction of Dickson for his slur against the Reformed Kirk (example (3) in Chapter 8). When litigants and witnesses were summoned before the KS, they were examined in front of about 15 up to 60 people, depending on the size of the session in question

¹⁴³ In line with the selection criteria of this study, the content of written appeals and the metalinguistic labels referring to them were not sampled.

(see Section 7.3.2).¹⁴⁴ The effects of KS intervention could be twofold. On the one hand, conflicts which had broken out within the confines of people's homes became more public as they were exposed to a larger audience, and notably to an institutional body. On the other hand, access to investigations into publicly committed verbal offences was less public than in original offence-settings because the community was excluded from KS meetings. People tried to eavesdrop on proceedings by standing near church doors or windows (Todd, 2002: 163). Conflicts were usually settled in relation to non-public/public dimensions of offence-settings. The *First Book of Discipline*, which laid out the regulations for Reformed church discipline, specified different degrees of penance depending on the seriousness of the offence. For lesser offences it was deemed enough to admonish sinners at KS proceedings or have a penance ritual in the neighbourhood where the offence had taken place (*First Book of Discipline*, 1972 [1560/1621]: 167-168, Todd, 2012: 37). Verbal offences committed in public were seen as equally grave as sexual immorality or physical violence and had to be punished with a sentence of public penance (*First Book of Discipline*, 1972 [1560/1621]: 168). Public penance was performed after Sunday service in front of the whole congregation.

In most JC cases, pre-trial investigations had a more restricted accessibility than the communicative events recorded in depositions. At higher secular courts, e.g. the JC or Privy Council, depositions were taken in front of three to seven examiners.¹⁴⁵ The Perth burgh court depositions list a group of twelve examiners, who were commissioned to interrogate all town inhabitants (*PitcairnT*, 1600: 193). From 1586 onwards, defendants accused of treason were allowed to be present at the recording of depositions. For all other cases, this right was only established in 1686 (Walker, 1958: 308-309). In many JC cases, defendants and their defence counsel thus had no access to legal evidence before court hearings.

Conflicts tried by the JC became more exposed to the public as proceedings were taken further. Indictments were publicly displayed in the nearest town centre from where the accused person lived (Walker, 1995: 430). Before 1693, public access to criminal trials was restricted, due also to limited courtroom space (Smith, 1958: 46, Walker, 1995: 434). Defendants were allowed to bring their defence counsel, usually two to five people, and "no more than six friends", while prosecutors were permitted "four friends only" (Walker, 1995: 434). Executions and lesser forms of corporal punishment were staged in public

¹⁴⁴ Historians, however, assume that KS meetings were hardly ever fully attended (see Fleming, 1889-90: xxvi, Graham, 1996: 79).

¹⁴⁵ These figures have been derived from studying the depositions in the JC sub-corpus.

places (Kennedy, 2012: 192). Ultimate public accessibility applied to legal papers disseminated as pamphlets or broadsheets, which appears to have been common in cases of witchcraft and high treason (see *PitcairnT*, 1591: 213-223, 1600: 218-223, Smith, forthcoming).¹⁴⁶ The shift in medium from manuscript to print changed the function of these documents from internal use at law-courts to “acts of public propaganda” (Smith, forthcoming).

Private-public dimensions of conflict-situations in the JC and KS sub-corpora are summarised in Figure 9.1 below. Because court-records are composed of multiple discourse levels (see Section 7.4), private-public dimensions pertain to various levels of interaction: past utterance-events, recording situations, courtroom-proceedings, and punishments. Degrees of conflict-scope are at the centre of Figure 9.1. The various intersections of limited and open access to offence-settings are represented by overlapping arrows in opposite directions on each side of the conflict-scope scale. Through legal intervention, private-public aspects of verbal offences were redefined by changing settings.¹⁴⁷ Shifts in access to JC and KS legal proceedings extend towards the left and right respectively.

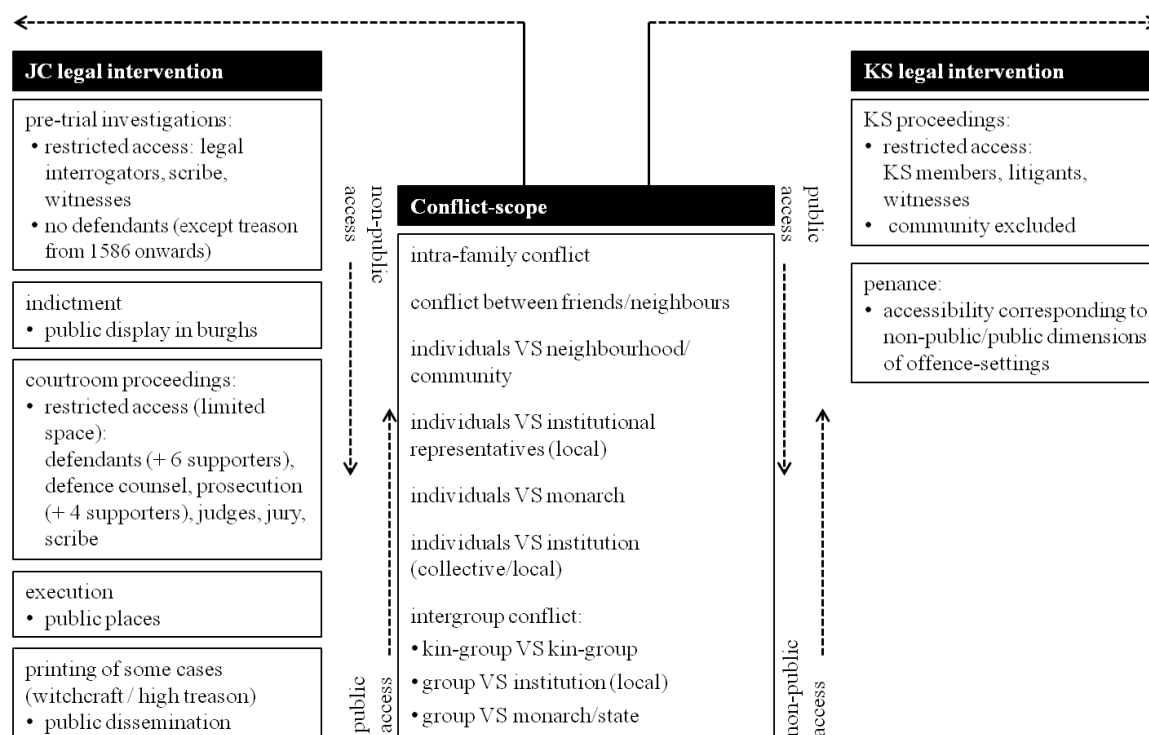


Figure 9.1: Private-public dimensions of conflicts in Scottish court-records, 1560-1660.

¹⁴⁶ See Leitner (2013: 127) for references to 1600 pamphlets relating to the Gowrie conspiracy.

¹⁴⁷ Cecconi (2010: 256, 259-260) also observes a merging of private and public features of discourse when past communicative events were re-enacted in witness narratives inside the courtroom.

Next to second-order empirical evidence for private-public dimensions of institutionally mediated conflicts, first-order comments cast light on period-specific perceptions of private and public. People in early modern Scotland had different understandings of private and public; for example, intrusion into non-public homes was legitimised as it served the community's welfare (Todd, 2002: 23, 47). First-order comments suggest that people at the time drew boundaries between private and public. Distinctions between *private/privy* and *public/open* are attested in both sub-corpora and seem to be dichotomous rather than scalar, e.g. *ye worships of god in publict and | private* (Aberdeen KS, 1655: 125, MS CH2/448/6, p.144). Lexical clusters of *private* and *secret* refer to people's dwelling places and interactions among few participants, e.g. *privatlie in houssis*, *privat conference*, or *secretie of the tryist* 'the secrecy of the meeting' (Aberdeen KS, 1607: 58, *PitcairnT*, 1610: 328, 1609: 46, MS NRS PC15/5, Item 108/13 and PC10/8A, Item VIII/119). Contexts perceived as *public* in KS records are, for example, Sunday services and penance rituals performed in front of the whole congregation (example (5) in Chapter 8, *Aberdeen KS*, 1607: 57). In the JC data, the *public* context of the courtroom contrasts with the *secret* or *private* place within the Old Tollbooth to which the jury withdrew to take verdict (SJC, 1644-45: 666, 671). Additionally, expressions such as *common thief*, *manifest witch* or *nottourlie | knawin* 'publicly known' were employed to convey widely shared community beliefs about someone's criminal reputation (example (1) in Chapter 8, SJC, 1629: 112, 1644-45: 637, MS NRS JC2/8, p.398).

Perceptions of private and public vary with respect to specific contexts. Verbal offences were evaluated as having been uttered *openly* although there appear not to have been many more bystanders than in interactions described as *private* (e.g. *PitcairnT*, 1622: 512). Comments on the enclosed institutional setting of KS proceedings offer no conclusive evidence as to the perceived degree of publicness. The recusants of Aberdeen, for instance, wished to *confer privatlie* with the archbishop and KS, which they set in contrast to the *publict lessones of Theologie* delivered in church (Aberdeen KS, 1622: 105, MS CH2/448/4, p.145). Likewise, penance before the KS in Canongate was consistently distinguished from *public* or *open repentance* in church services (e.g. *Canongate KS*, 1566: 51, 62). By contrast, Aberdeen KS members applied *public* to penance before the whole congregation as well as to penance before the more restricted audience of KS meetings, notably in the same case (Aberdeen KS, 1607: 57). Possibly, *private* and *public* were either/or concepts and simultaneously relative to specific contexts. Different degrees between private and public could be expressed through juxtapositions, e.g. *public* courtroom

versus *secret* jury chamber, or indicated by modifying phrases such as *publictlie befoir* | *the pulpit* or *publictlie in the sessioun hous* (Aberdeen KS, 1607: 57, MS CH2/448/2, p.242).

9.3. Individual and collective dimensions of derogatory expressions

A closer look may now be taken at individual and collective dimensions of derogatory expressions in cited utterance-events. The derogatory expressions listed in Figures 9.2-3 below mainly represent disparaging acts and obscene or profane language. Underlined terms occur in cited utterance-events of both courts. Verbal offences which are not included are those which do not consist of epithets or taboo terms, such as threats, curses without invocations of the devil or forms of opposition which cannot be reduced to depreciatory words or phrases (see Chapter 8 for examples). However, a discussion limited to derogatory expressions will suffice to illustrate the various aspects of individual-based and group-based face₁ and social rights.

Derogatory expressions concern social-identity face₁ if they trigger negotiations of group-membership in a more general sense. The overarching pattern for derogatory expressions targeted at people's social identities is the association of an individual or group with criminal or socially stigmatised groups or with behaviours of those groups. Such strategies of association challenge the target's desired membership with a socially privileged in-group. Failure to conform to Protestant social values of "godly and honest behaviour" could lead to exclusion from the community (Todd, 2002: 12).

Slander suits in KS records illustrate the efforts of individuals to dissociate themselves from sexual immorality, witchcraft or theft and be accepted again into the community. For example, the name-calling *whore* implicated women with sexual offences for which they could be excommunicated, or in the worst case sentenced to death, if they did not manage to prove their *honesty* (Todd, 2002: 244, see also Section 7.5.4). Likewise, witchcraft accusations marked targets as deviant from community norms. As pointed out by Chaemsaithong (2009: 63-65) with reference to the Salem witchcraft trials, the face₁-threat of witchcraft accusations was "inextricably intertwined" with physical consequences of trial and execution. The KS was empowered as an institutional body to clear targets from slanderous associations and re-establish them as community-members. The collective identity of the Protestant church as a ruling group was attacked with depreciatory terms such as

heretic, which questioned their religious authority and evoked their pre-Reformation out-cast status (Walker, 1995: 305, example (3) in Chapter 8). Religious group-membership of individuals was challenged by epithets such as *idolater* and *mass-monger*, which associated them with Catholics, i.e. the post-Reformation religious out-group (*St Andrews KS*, 1562-63: 176).

Relational face₁ comes into play when derogatory expressions attacked the target's public self-image derived from fulfilling social-role responsibilities. Church officials were denounced as *greedy*, *partial* or *malicious*, and thus accused of not showing the socially expected biblical conduct of being just and without corruption (*First Book of Discipline*, 1972 [1560/1621]: 174-179, e.g. *St Andrews KS*, 1561: 86, 1570-71: 346). In turn, speakers who falsely implicated church officials with abuse of institutional power or insulted them with terms conveying limited mental capacity, e.g. *ignorant*, or moral baseness, e.g. *smaik*, i.e. 'low, contemptible fellow', violated social obligations of respect towards institutional representatives (*St Andrews KS*, 1565: 251, example (5) in Chapter 8). Breaches of respect also pertain to taboo terms applied to sacred things, such as calling the communion *devil's dirt* (*St Andrews KS*, 1560: 34-35).¹⁴⁸

In some derogatory expressions, the potential damage to social-identity face₁ is intertwined with relational face₁. The epithet *traitor*, for example, associated targets with a criminal group of people who had violated their allegiance towards the monarch or betrayed noblemen. Face₁ dimensions overlap since an accusation of treason affected self-aspects derived from fulfilling social-role obligations, but also group-membership in a broader sense. Social-role issues of loyalty were emphasised in defensive counters to allegedly false reports of treason, e.g. *his | maiesties faithfull counsallouris and loyell subjectis* 'his Majesty's faithful councillors and loyal subjects' (SJC, 1631: 190, MS NRS JC2/7, f.29r). Such acts of face₁-repair were also attempts to reclaim in-group status among the wider community of loyal subjects. Reputations of treason could refer to individuals, as in John Stewart's alleged leasing-making against the 8th earl of Argyll, or collectives, such as Charles Maxwell's denouncement of the Johnstones (see Chapter 8 and Section 9.2). Furthermore, face₁-categories merge in the epithets *witcheis Gett* 'witches' offspring' and *theiffis geitt*

¹⁴⁸ Face₁-implications of taboo language are discussed in Section 9.4.

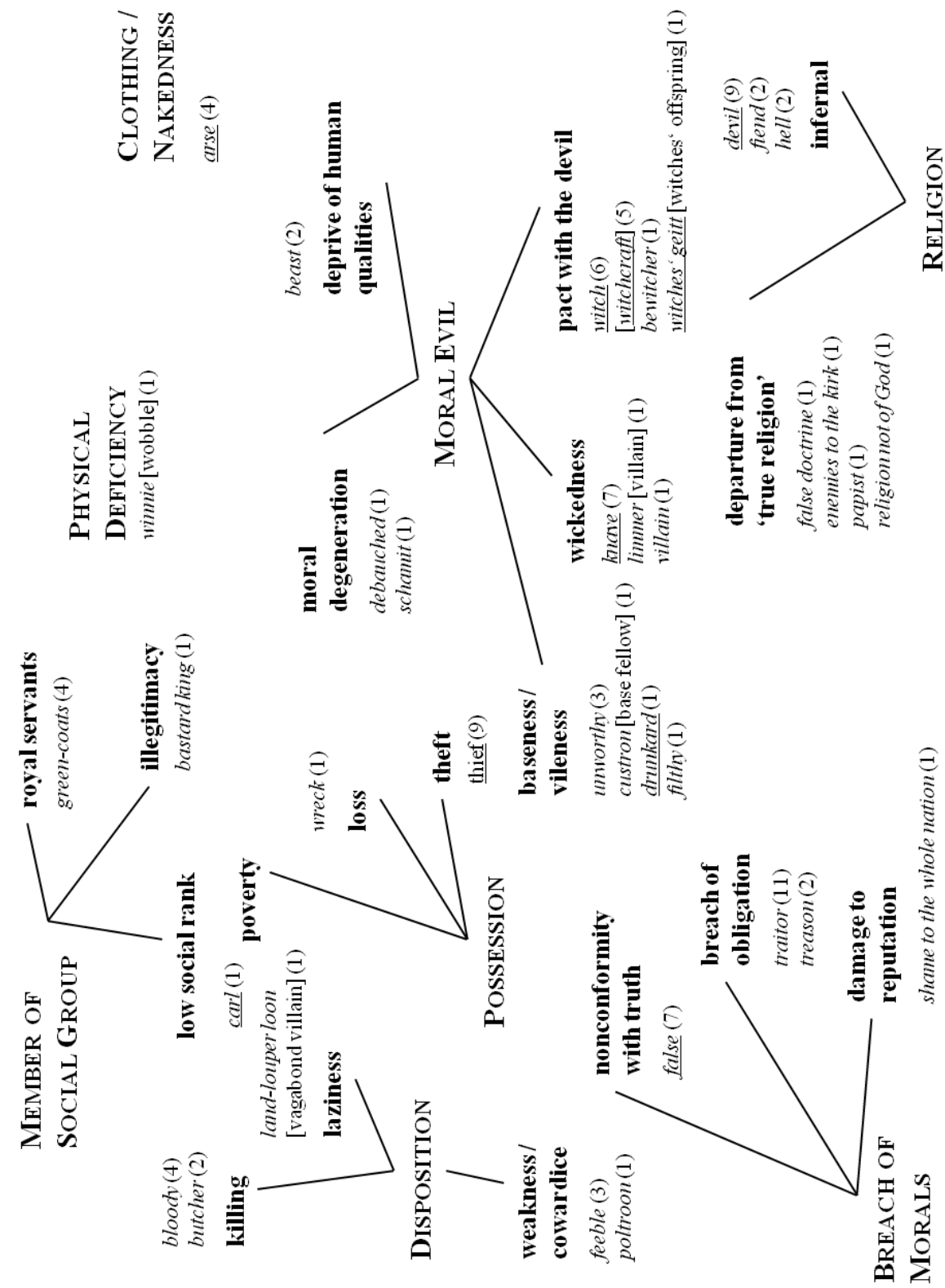


Figure 9.2: Derogatory expressions in JC records, 1560-1660

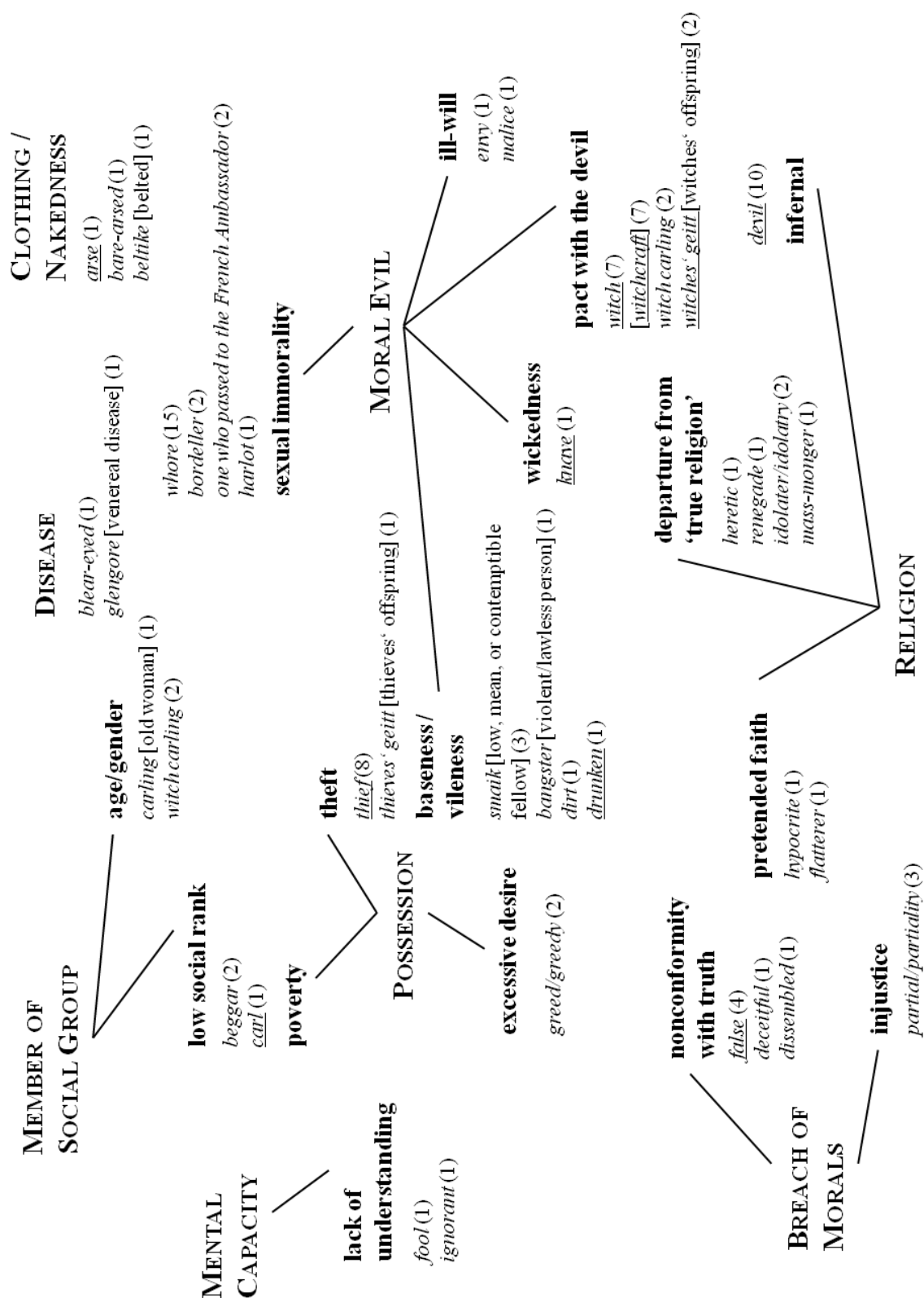


Figure 9.3: Derogatory expressions in KS records, 1560-1660

‘thieves’ offspring’ (SJC, 1644-45: 665¹⁴⁹, MS NRS JC2/8, p.419, *Aberdeen KS*, 1606: 55, MS CH2/448/2, p.222). Such expressions associate targets’ parents or relatives with criminal groups. Because of the high value of kinship in early modern Scotland, attributing a criminal reputation to the others’ kin would already constitute an offence to persons themselves (Todd, 2002: 238). Additionally, social identities of kin-members are projected onto descendants. This notion of kin-based inherited social identity combines the specific social-network aspect of relational face₁ with the generic group-membership captured by social-identity face₁.

Quality-face₁ is infrequent in early modern Scottish court-records. William Fairlie’s mocking of Agnes Finnie with a derogatory expression of physical deficiency, i.e. *Anny winnie* ‘Annie wobble’, is the only example attested in the data that seems to concern a specific individual’s personal features (SND, see example (1) in Chapter 7). Epithets of disease found in KS records refer to individuals, but not to personal qualities (Figure 9.3). *Blear-eyed* modifies *carling*, ‘old woman’, thus relating to a deficiency associated with members of that social group (*St Andrews KS*, 1569-70: 329). As implied by its collocate *whore*, *glengore*, i.e. ‘syphilis’, was regarded as physical evidence of sexual immorality (*Canon-gate KS*, 1566-67: 64). In the few cases of cowardice and lack of understanding, quality-face₁ overlaps with other face₁-categories: *feeble beast* and *poltroon* were targeted at a young nobleman (*PitcairnT*, 1615: 326). Courage was an idealised personal skill of members of the Scottish elite, and therefore also a matter of social-identity face₁ (Cathcart, 2006: 61). *Fool* and *ignorant* were hurled at KS members, thus interrelating with self-aspects of their social roles (*Aberdeen KS*, 1656: 138, *St Andrews KS*, 1565: 251).

As expected, derogatory expressions can be linked to various degrees of individual and collective dimensions of face₁ and social rights. Disparaging acts only rarely affected most personal self-aspects. Although individuals were often targets of derogatory terms, verbal attacks concerned more collective features of their identities, such as family-relationships, social roles, and generic group-membership. In addition, disparaging expressions could be a matter of group-face₁ distinct from individual group-members, for example, when referring to the Protestant church as an institution or to a whole kin-group.

¹⁴⁹ See Section 8.4 for this example of *witches’ child*.

9.4. Extended experiences of offence

Verbal attacks against individuals had repercussions on those around them. This section investigates how experiences of offence extended beyond targets. Most examples are taken from KS records, because notions of shared offence tend to be more explicit than in JC cases.

Parents were held accountable for offences committed by their children. According to the statutes of the Reformed Kirk, parents should teach their children godly behaviour. The “ill-government of families” was regarded as the root of sin (Todd, 2002: 265-266). When Catherine Anderson cursed her parents, the KS sentenced all three of them to public penance (example (8) in Chapter 8). The parents were charged for failing to fulfil their social-role responsibilities and threatened with banishment *if yai tak nocht | better ordor with yame selfis & yair barnis* ‘if they take not better order with themselves and their children’ (*St Andrews KS*, 1595, MS CH2/316/1/1, p.504). Thus, a daughter’s misconduct brought public shame on her parents.

Comments in KS records further suggest that participants who were significantly related to targets would share negative consequences. Example (12) in Chapter 8 is one of the examples in which a husband initiated a lawsuit on behalf of his slandered wife. It was not only the husband’s understanding that he had a share in the attack on his wife’s social identity. The offender was instructed by the Canongate KS and town baillies to apologise to both target *and* spouse. Moreover, the apologies had to be addressed to the spouse: *schir I confes to haue offindit zow & zour wif [...]*. The case reflects a contemporary understanding of the husband’s social role as the head of his wife and family. A rumour about his wife’s sexual impurity was seen as a “loss” of his “marital authority” and “a failure to maintain household order” (Gowing, 1996: 94).

Examples of wives acting as plaintiffs on behalf of their husbands appear to be rare. The *Canongate KS* (1566-67: 62) record one case in which a widow sued the women who had slandered her husband for theft on his deathbed. As his nearest kin, the defamation was an insult to her, too (see Todd, 2002: 238). Notably, the offenders had to ask the widow for forgiveness.

Face₁-attacks would also extend to targets’ family-members in cases of witchcraft slander. When four “fishwives” in Aberdeen made a charge against a man who had falsely accused

them of witchcraft, they were supported by their husbands and sons (*Aberdeen KS*, 1609: 70, Todd, 2002: 134). The KS stated that the rumours could have destroyed the women's reputations and lives as well as the reputations of their husbands and descendants (example (1)):

- (1) the
 said James Kempt most vncharitablie aganes the deutie of ane gude Christi
 ane nichtbour hes sclanderit the said Issobell Robertsoun Issobell forbes
 Issobell crawfurd and Mariorie Patersoun in sic heich degrie and in
 sic odious maner That **gif it wer trew (as god forbid) thay ware
 worthie of most crewall and ignominious death** [....]
 Be the *quhilkis* sclanderous and malicious speiches so opinlie
 and frequentlie spokin The said Issobell Robertsoun and the vther thrie com
 plenaris ar comted and esteemed manifest and notorious witches
to the perpetuall Defamatioun of thame, thair husbandis and posteritie
 gif the mater ly vntryed
 'the said James Kempt, most uncharitably, against the duty of a good Christian
 neighbour, has slandered the said Issobell Robertson, Issobell Forbes, Issobell Crawford,
 and Marjorie Paterson, in such high degree, and in such odious manner that if it were true
 (as God forbid) they were worthy of [the] most cruel and ignominious death [....] by
 which slanderous and malicious speeches, so openly and frequently spoken, the said Issobell
 Robertson and the other three complainers are regarded and esteemed manifest and
 notorious witches, to the perpetual defamation of them, their husbands, and posterity, if
 the matter lay untried.'
 (*Aberdeen KS*, 1609, MS CH2/448/3, pp. 18-19, emphasis mine)

Although the offence was shared, experiences differed across targets and family-members. As argued above, witchcraft or sexual slander associated targets with criminal groups. In the examples of Richard Scuggald and the fishermen's women of Aberdeen, spouses and family-members were not defamed as adulterers and witches themselves (example (12) in Chapter 8, example (1) above). Moreover, family-members would not have to suffer the physical consequences of social isolation and death. Their reputations seem to have been damaged through being closely related to someone who was associated with a criminal group.

Variation exists as to how family-members were involved in legal cases. There are several cases in which slandered women initiated a lawsuit for themselves. Thus, they did not need their husbands to do it for them. With respect to sexual slander cases in early modern London, Gowing (1996: 61-62) notes that a lawsuit initiated by a husband on behalf of his wife was considered "more weighty", but women's suits were still mostly successful. Furthermore, penance rituals show different instructions for targets' family-members. James Kempt had to apologise to *the haill pairties slandered*, i.e. 'the whole parties slandered' (*Aberdeen KS*, 1609, MS CH2/448/3, p.20). Because the KS explicitly defined the

defamation as affecting the whole family, spouses and sons who acted as co-plaintiffs might have been included in the term *parties slandered*. In other witchcraft slander cases, husbands did not join their wives as plaintiffs. The term *offended party* then referred to the individual target only, while the husband was either not included in penance instructions or named separately: [...] *be craving god the pairtie offendit, and hir husband* | *pardoun* [...] (*Aberdeen KS*, 1613/1614: 81, MS CH2/448/3, p.179). Although, in the latter case, the husband still had to be asked for forgiveness, the distinction between him and his wife lends some linguistic support that experiences of offence were understood to be different for targets and their relatives.

If the church or any of its representatives were targets of verbal misconduct, the offence was shared by the collective institutional body. For instance, the defiance shown by William Morton and others against the minister of Crail was judged as offending all ministers and the established order of the Reformed Kirk (*St Andrews KS*, 1561: 107, 110). If verbal offences targeted the Protestant church, the KS prosecuted the offender on behalf of the institution and in their own interests. In the prosecution of Dickson for slurring the Kirk, the Aberdeen KS's defence of the church's public self-image safeguarded the claims to authority of the local representatives themselves (example (3) in Chapter 8).

Taking offence on behalf of a superior institutional target also pertains to criminal prosecution of minor treason. Acts disparaging James VI in the JC sub-corpus were not committed in the king's presence. The antagonism had legal consequences because royal representatives reported the behaviour to the absent intended recipient. Defying and insulting the king in front of his delegates was as good – or rather as bad – as confronting the king face-to-face. The constables who witnessed Tuedie's irreverent speeches against James VI and the Privy Council had come to arrest Tuedie *first in his maiesteis name And than in the* | *name of ye lordis of his hienes secreit counsall* 'first in his Majesty's name, and then in the name of the Lords of his Highness's Privy Council' (*PitcairnT*, 1612: 220, MS NRS JC2/5, f.28v, see also example (14) in Chapter 8). Moreover, the king's presence was not required when trial was taken against offenders. Law-courts held rights of jurisdiction on behalf of the monarch, who was the supreme head of justice (Walker, 1995: 283). The king was partly present in the case of John Fleming. Fleming, who was convicted of a minor verbal offence against James VI, was tried by the Privy Council and remitted to the JC for verdict (*PitcairnT*, 1615: 359-360). Tuedie's trial was delegated to the JC. Before pronouncing Tuedie's sentence, the JC consulted the Privy Council (*PitcairnT*, 1612: 222).

Thus, the absent king's experience of offence was mediated by his representatives in offence-settings as well as in legal prosecutions.

John Stewart's alleged leasing-making against the 8th earl of Argyll illustrates how a verbal offence against an individual nobleman affected the king and the entire state. The indictment asserted that Stewart's reports about Argyll's political attitudes and activities had caused serious damage to Argyll's *honour* and might have led to the earl's *vtter rwyne* 'utter ruin' (SJC, 1641: 431, MS NRS JC2/8, p.139). Beyond these consequences for Argyll, Stewart's behaviour was evaluated as *engendering discord* between the king and his government, and as going against the estates of Parliament and kingdom (SJC, 1641: 430-431). Reports of treason threatened relations of trust between Charles I and Argyll, who was a member of the Scottish Privy Council and Parliament (ODNB). The prosecution's person-reference term for Argyll, i.e. *his maiesteis richt trest* | *cousing* 'his Majesty's very trustworthy cousin', implies a perceived need to defend social-role and social-network aspects of relational face₁ (SJC, 1641: 428-429, MS NRS JC2/8, p.138).¹⁵⁰ Moreover, the rumours spread by Stewart were understood as jeopardising the stability of the entire kingdom. Consequences were not the same for different parties. Although potentially affected by political unrest, king and country would not have shared in Argyll's loss of reputation and lands.

Cultural practices also suggest that offence was experienced collectively by local communities. As bystanders, community-members witnessed breaches of social conduct. Public penance instructions often required offenders to ask not only the offended parties for forgiveness, but also the congregation (see example (13) in Chapter 8). Even if apologies were not extended to the community, neighbours might still have had to be present to watch penance rituals (example (12) in Chapter 8). The offence against the community had different aspects. On the one hand, individuals' misbehaviours threatened "communal harmony" (Todd, 2002: 173). Slandering neighbours and quarrelling went against Christian ideals of "concord" (Todd, 2002: 263). The KS was seen as authorised by God to keep community peace (Todd, 2002: 250). Moreover, people believed that "individual sin brought divine wrath to the community" (Todd, 2002: 174). According to the providential-

¹⁵⁰ *Richt trest cousin* was a standard opening formula in Scottish correspondence if the addressee was a kin-member of equal or lower standing (see Chapter 5). Aspects of social-role and social-network face₁ in these address-terms were conventionalised. By comparison, the prosecution's third-person reference-terms for Argyll in Stewart's indictment appear to have been more strategic. The abovementioned expression was employed in the first reference to Argyll in the indictment. Throughout the rest of the indictment, Argyll was referred to as *the said Archibald, earl of Argyll* or *the said earl of Argyll*. Highlighting Argyll's relationship with the king was thus going beyond default person-reference terms.

ist world view, plagues and natural disasters were interpreted as God's punishment for tolerating sinners in the community. Thus, physical consequences of sin were shared by the whole group. Penance and punishment not only served to redeem the individual, but also "to purge the whole community" (Todd, 2002: 174, e.g. *St Andrews KS*, 1590-91: 702). On the other hand, the church feared that individual misconduct would tempt others to sin. If a community or neighbourhood had been exposed to sinful behaviour, they had to witness the sinner's repentance as a warning (Todd, 2002: 148). For example, the *Aberdeen KS* ordained that James Kempt should be punished for slandering Issobell Robertson and the other women *accordinglie in ex | ample of vtheris to commit the lyk in tyme cumming* 'accordingly in example of others to commit the same in time coming' (*Aberdeen KS*, 1609, MS CH2/448/3, p.19, see example (1) above). Presumably, the open setting of executions at criminal courts had similar social functions of "deterrence of others from doing likewise" and "public shaming of the offender" for offending "the community's moral sensibilities" (Kennedy, 2012: 192, Walker, 1995: 438). In contrast to criminal sentences, the audience-role in ecclesiastical discipline included the act of accepting the transgressor back into the community (*First Book of Discipline*, 1972 [1560/1621]: 172).¹⁵¹ In offences which did not require penance in public, the KS performed the act of reintegration on behalf of the community (Todd, 2002: 165).

There is one party left: God. In the Protestant society of post-Reformation Scotland, any transgression was also an offence against God and divine law (Todd, 2002: 154). In criminal law, the Bible was accepted as a "valid legal source" (Kennedy, 2012: 196). For example, the crime of witchcraft in JC indictments was defined by reference to Bible passages (e.g. *PitcairnT*, 1622: 508). In KS penance rituals, offenders had to plead God for *mercy* or *forgiveness* (e.g. *St Andrews KS*, 1561: 111, 1595: 798). God was acknowledged as an active, sovereign, participant in conflict-settlements. How was God's experience of offence perceived? It might have been a matter of social obligations. The defiance of William Morton and others against the minister of Crail was judged as an offence *aganis ye law of ye eternall god* 'against the law of the eternal God' (*St Andrews KS*, 1561, MS CH2/316/1/1, p.59, see also example (5) in Chapter 8). As shown in the first entry of the *Aberdeen KS* (1562: 3-12), the Ten Commandments were a cornerstone of godly behaviour. In biblical terms, sin, i.e. falling short of keeping God's precepts, divides human beings from God. Repentance is necessary to restore the broken relationship between God and sinners, a

¹⁵¹ Confession as a defence-strategy to obtain forgiveness, and thus regain in-group status, could, however, also be successful in criminal cases (Chaemsaihong, 2009: 63-64).

process which in post-Reformation Scottish communities was mediated by the KS. Other first-order comments suggest that offences against God also contained an element of face₁. The defiant behaviour of William Morton and others was further evaluated as *offencis so grewoslie tending to ye contempt of god* ‘offences so grievously tending to the contempt of God’, and as *hawy and grewows sclander of ye ewangell of crist Jesus and | his religion* ‘heavy and grievous slander of the gospel of Christ Jesus and his religion’ (*St Andrews KS*, 1561, MS CH2/316/1/1, pp. 56, 59). Metalinguistic labels such as *slander* and *contempt* imply damage to reputation and an attitude of devaluing the other’s self (see Chapter 8). Verbal offences against an individual minister of God’s word were thus understood as expanding into disgrace caused to God’s divine identity and the foundation of Protestant faith.

In cases of blasphemy, the experience of offence might only exist through extension. If blasphemous utterances target objects such as communion, the objects themselves do not have a self that can be attacked. Instead, offence is experienced by those who proclaim holiness onto these objects, i.e. the church and God, who is credited as the source of holiness. As representatives of Christ’s body on earth, the church-courts considered it their social-role responsibility to judge blasphemy on God’s behalf (*Aberdeen KS*, 1562: 5-6).

To sum up, experiences of offence were not restricted to targets, but differed across the various parties. The target was the party most directly and most seriously attacked. Although defamation extended to family-members, they were not exposed to physical threats incurred by the target’s damaged reputation, i.e. social isolation and death sentence, unless being parents. If targets had an institutional role, e.g. a church official or member of parliament, offences could affect the authority, or even the unity, of collective institutional bodies. Moreover, sinful actions of an individual were believed to defile the whole community and bring God’s wrath upon them. God was the indirect, ultimate target of every offence, whose power to judge and to forgive was mediated by secular and ecclesiastical representatives of his laws (*First Book of Discipline*, 1972 [1560/1621]: 167, Graham, 1996: 345, Kennedy, 2012: 186).

9.5. Notions of offence shaped by private and public

Understandings of offence are underpinned by various factors: the content of utterances, the relationships and status of participants, perceived speaker intentions, to name but a few.

The foregrounding of the influence of private-public dimensions on notions of offence in this section should not imply that explanations are reduced to one single factor. Instead, the aim is to track situations in which notions of private and public played a major role in aggravating experiences of offence, amongst a multiplicity of contextual aspects.

Privacy was viewed as a negative aspect of behaviour if the withholding of knowledge was a breach of truth or allegiance towards the monarch. Telling lies to keep illegitimate child-birth secret was condemned by church-courts (e.g. *St Andrews KS*, 1592: 728). Contriving the harm or death of a monarch was unlawful in any case, yet part and parcel of the danger of conspiracies laid in their concealment (example (7) in Chapter 8). Exposing conspiracies was positively evaluated with a period-specific religious dimension. When the infamous 4th earl of Bothwell tried to win James Hamilton, the third earl of Arran, for his secret plans of seizing the queen and forcing her to grant their requests, the revelation of the conspiracy was seen as an act of God's grace. Once again ratified as an active participant in interactions, God was acknowledged as the only one who could, and also would, stop Bothwell's plot. The one who "knoweth the secrets of the heart" had overheard the secret conversation between the two earls (GNV Psalm 44:21). Moreover, the summons of Mary Stewart emphasised that God *wald nocht suffir ye said maist | treasonable interpryis* 'would not suffer the said most treasonable enterprise', because of *his infinit ~~lufe~~ | piete lufe & fawour that he hes to ye conser | uatione of our persoune and commoun wele of our | cuntre* 'his infinite piety, love and favour that he has to the conservation of our person [i.e. the queen] and the commonweal of our country' (*PitcairnT*, 1565: 463, MS NRS JC1/12, s.p.). Bothwell's conspiracy constituted a threat to Scotland's most public person and public well-being. Since monarch and state were both under God's protection, God was roused to intervene and move Arran's heart to disclose the conspiracy to the queen (*PitcairnT*, 1565: 463).

In other situations, the perceived gravity of verbal offences increased not by keeping matters secret, but by exposing them to large audiences. Definitions and practices of moral discipline by Protestant church-courts indicate that the public dimension of the offence-setting made verbal misconduct more serious (*First Book of Discipline*, 1972 [1560/1621]: 167-169, Todd, 2002: 133-140). Public face₁-attacks had to be repaired through the public humiliation of offenders. According to Todd (2002: 148), "[p]ublic visibility was absolutely essential to effective penance" since "reformation of behaviour" was believed to require "embarrassment". The higher the public shame that had been caused to others, the more elaborate the instructions for the offender's public humiliation. James Kempt's

witchcraft slander against Issobell Robertson and three other women was rated as a highly public offence (*Aberdeen KS*, 1609: 70-73, example (1) above). Kempt had to appear for public penance in sackcloth and barefoot. Prescribed penitential dress was understood as intensifying his public humiliation (Todd, 2002: 143, 147). Additionally, he had to sit on *the piller of Repentance* ‘the pillar of repentance’ during the service (*Aberdeen KS*, 1609, MS CH2/448/3, p.20). An elevated seat on the penitence stool was a higher degree of public visibility, corresponding to the public dimension of his offences (Todd, 2002: 131). It was a visual symbol of the sinner’s separation from the community, just as the stepping down into the congregation’s space after confession was a ritual element to convey the sinner’s reunion with the godly (Todd, 2002: 155). Moreover, public penance included the restoration of targets’ social identities in front of the whole community. James Kempt had to perform repentance in two parish churches because his offence was known beyond his parish (Todd, 2002: 134). Thus, the KS ensured that everyone in Aberdeen heard Kempt’s scripted, ceremonial, confession *fals tounge he leid*, i.e. ‘false tongue he lied’, which removed all tarnish of his slanderous words from the women’s reputations and their families (*Aberdeen KS*, 1609, MS CH2/448/3, p.20).

Public face₁-exposure was additionally amplified by the repeating of verbal attacks. The high degree of offence attributed by the Aberdeen KS to James Kempt’s rumours of witchcraft was not only due to the ascribed intention of malice but also because the slanderous words had been *so opinlie and frequentlie spokin* (*Aberdeen KS*, 1609, MS CH2/448/3, p.19, see example (1) above). The KS minutes record each situation in which Kempt reiterated his disparaging stories (*Aberdeen KS*, 1609: 70-71). Repetition also plays a crucial role in intensifying the perceived gravity of offence in John Stewart’s alleged leasing-making against the 8th earl of Argyll (SJC, 1641: 426-442). Each charge in Stewart’s indictment stressed that he had spread the false reports about Argyll in *dyuers places* and to *dyuers/sindrie persones*, i.e. ‘in diverse places’ and to ‘diverse/various persons’ (SJC, 1641: 429, MS NRS JC2/8, p.138). Even if Stewart did not disclose the rumours to many others in a particular situation, the recipients of all utterance-events accumulated into a wide audience. The tragedy in this case is, as Smith (1972: 423-426) reasons, that Stewart had received the reports from someone else and, believing them to be true, set out to expose Argyll’s treason, according to the duty of a loyal subject.

Furthermore, publicness might have had an aggravating effect if relating to offences involving the monarch as a public person. As part of establishing the power of the crown

over church and state, James VI had a Treason Act ratified by the Parliament in 1584, which “penalised false, untrue and slanderous speeches to the dishonour of the king” (Walker, 1995: 282). Legal practice at the JC shows that even minor verbal offences against the king, such as Fleming’s and Tuedie’s angry outbursts, were punished by death (*PitcairnT*, 1612: 220-222, 1615: 359-360, see Chapter 8). Moreover, John Stewart’s report that Argyll wanted the king deposed was condemned by the prosecution as *ye maist per | nitious and damnabill speiche contenit in ye lybell* ‘the most pernicious and damnable speech contained in the libel’, and as *the heighest and maist transcendent point of tress | one and treacherie* ‘the highest and most transcendent point of treason and treachery’ (SJC, 1641: 439, MS NRS JC2/8, p.147). Both expressions imply an understanding that this offence had the highest gravity of all charges.

9.6. Conclusion

Offence-settings in Scottish post-Reformation court-records covered wide ranges on private-public scales, with various intersections between the dimensions of accessibility and conflict-scope. Legal interventions made law-courts like the JC and KS institutional mediators in conflicts and added further layers of non-public and public access as the transmission of verbal offences went through different stages of trial-proceedings. First-order notions of private and public were not uniform, but discursively constructed and contingent on situated understandings.

Analyses of derogatory expressions and extended experiences of offences suggest that verbal offences comprised co-existing shades of individual – as part of a group – and group-face₁. Attacks on most individual aspects of self seem to be infrequent, which might be a reflex of the priority given to the collective over the individual in Scottish post-Reformation communities (Todd, 2002: 173-174). Additionally, disparaging someone’s personal qualities might not have been actionable, and hence would rarely be recorded in legal proceedings.

Evidence from Scottish KS and JC cases shows that private and non-private aspects of conflicts shaped understandings of offence in different ways. The perceived gravity of offence could be aggravated by restricting or increasing public accessibility. Face₁-sensitivities seem to be particularly heightened if verbal offences affect the monarch’s public person.

As shown in this chapter, the religious dimension is more prominent in post-Reformation Scottish court-records if we look beyond metalinguistic labels of verbal offences and take into account KS penance rituals and definitions of crimes in JC indictments. Furthermore, God was ratified by both courts as an omnipresent interlocutor in conflicts. As the heavenly, holy king and sovereign judge, God witnessed every transgression, moved people to expose conspiracies and empowered his representatives on earth with passing judgement and granting forgiveness on his behalf.

10

Conclusion

10.1. Overview of aims and research questions

In the qualitative analyses of Late Middle Scottish correspondence and court-records presented in this study, notions of verbal offences have been examined in the socio-historical and situational contexts of interpersonal conflicts. The aims have been to reconstruct participants' metalanguage of verbal offences and their period- and situation-specific understandings of social conduct reflected in their comments on perceived offences. Furthermore, the investigation extended to describing private-public dimensions of conflict-situations and the influence of these situational variables on perceptions of verbal offences and the communication of those perceptions in letters and lawsuits.

As regards the theoretical and methodological framework, Culpeper's (2011a) modern impoliteness framework was combined with methods and insights from historical pragmatics to develop a data-sensitive approach. Historical pragmatics demands socio-cultural contextualisation, and such contextualisation has been provided throughout. Culpeper's (2011a) impoliteness concept was placed in a pragmatic space of antagonistic behaviour, derived from Jucker and Taavitsainen (2000), to investigate verbal offences from a broader perspective beyond the boundaries of impoliteness. Impoliteness constituents of Culpeper's (2011a) model, i.e. face, social rights/obligations, intentionality, and emotions, were extended and adapted for historical analyses. Landert and Jucker's (2011) private-public scales for analysing news discourse were remodelled for examining private-public dimensions of conflict-situations, i.e. the accessibility of conflict-situations, conflict-scope and involved/non-involved conflict-negotiation.

Analytical parts contained juxtapositions of two types of correspondence and court-records respectively. Correspondence case studies discussed differences and similarities in the language of offence-reports between James and the *Breadalbane* correspondents. Private-public dimensions of late 16th-century epistolary conflict-narratives were examined by considering the particular contexts of a network of mainly upper-rank letter-writers based primarily in the West/Central Highlands and the royal correspondence of the Scottish monarch. The private-public model was elaborated with a social-network approach to describe degrees of relational proximity of network-relations to permit more fine-grained distinc-

tions of accessibility and conflict-scope. Court-record case studies compared the metalanguage of verbal offences in ecclesiastical and criminal court-records between 1560 and 1660. The HTOED was deployed to create conceptual mappings of legal vocabularies for verbal offences and derogatory expressions in the two court-types. Judgements of offensive language use were approached from different angles, i.e. collocation patterns, and distributions of metalinguistic labels across speech-act types, record-types and KS parishes. Additionally, the conflicts tried by JC and KS were investigated with respect to their shades on private-public scales and how perceptions of private-public intersect with notions of offence. In both genres, manifestations of individual-collective face₁ and social rights/obligations were examined as an aspect of conflict-scope.

Having restated the objectives and approach of this investigation, I will summarise the main findings in the next section. Subsequently, the findings and framework are reviewed in the light of current issues in (im)politeness studies. Finally, suggestions are made for future research.

10.2. Summary of findings

Concerning the verbal offence metadiscourse in correspondence, James's epistolary offence-reports showed some distinctive features in comparison with the *Breadalbane* conflict-letters, such as his display of his humanist education. However, James's metalinguistic labels and conflict-strategies also overlap with *Breadalbane* correspondents' language use in conflicts, especially in letters to Elizabeth. Thus, despite differences in status and the specific contexts of their letters, James appears to have drawn at least to some extent on the same socio-cultural ideologies of honour, kinship, loyalty and religion as members of the Scottish upper ranks of his time. The analysis of association/dissociation strategies and politeness framings suggested that James and Argyll constructed different positions towards social inferiors. Argyll's letters to Grey Colin conveyed attitudes of collaboration and interdependence. By contrast, James's letters to Maitland lacked the mitigating devices of association and affirmations of trust. Instead, the Scottish king dissociated himself from his inferior by foregrounding his royal superiority. Even the association conveyed in his intimate relationship with Carr was embedded in assertions of the vertical distance between them as king and servant.

The investigated criminal and ecclesiastical court-records had mostly distinct vocabularies for judging verbal offences, which related to similar semantic concepts. Both court-types had relatively large inventories of verbal offence labels, but evaluations of verbal offences were dominated by a small set of apparently standard legal terms. In coordinations of verbal offence labels, collocates tended to be synonymous or near-synonymous lexemes. The resulting semantic redundancy has been attested as a characteristic formulaic feature of legal discourse in medieval and early modern Scottish burgh courts (Kopaczyk, 2013). Moreover, modifiers of verbal offence labels were employed to emphasise the reprobate character of alleged offenders. Distribution patterns across speech-acts and record-types suggested that high-frequency labels differed in their range of meanings, indicated by constraints and preferences as to how they were employed in different cases and at different stages of trials. Additionally, KS records showed varying sets of verbal offence terms across parishes, perhaps also influenced by scribal usage. In both court-types, the religious dimension was not prominent in metalinguistic labels of verbal offences, but more obvious in penance instructions of KS records and in crime definitions of JC documents.

The analysis of speech-acts in JC and KS records showed a wide range of verbal antagonistic behaviour, which was categorised in groups of neighbouring speech-acts. Evidence for non-actionable impoliteness was scarce, as offensive language use was usually prosecuted or re-interpreted as legitimised aggression. Moreover, verbal antagonism combined with actual physical harm went beyond the limits of symbolic violence of Culpeper's (2011a) impoliteness concept. By contrast, the range of verbal offences reported in the *Breadalbane* and James VI sub-corpora mostly remained within the boundaries of Culpeper's (2011a) impoliteness concept.

The different types of verbal offences were explained by multiple verbal offence constituents. In correspondence sub-corpora, *honour*, for example, was a face₁-sensitivity assigned to those who held superior responsibility over others, either as lords or monarchs. *Duty* was a common expression of social-role obligations across different ranks. Furthermore, James's *threat* and the *Breadalbane* correspondents' Scots variant *bo(i)st* were manifestations of verbal attacks that went beyond psychological dimensions of face and concerned rights to non-intimidation of physical selves. In the court-records sub-corpora, face₁ seems to have been a central concern in disparaging acts, such as slander and insults. Verbal offences against authorities highlight intersections of face with social rights to obedience and respect in hierarchical relationships. Culpeper's (2011a) concept of physical self was

prominent in speech-acts communicating dispositions to inflict harm, e.g. threats, or in speech-acts interpreted by participants as causing actual physical harm, e.g. fully performative curses. Moreover, examples of taboo language shed light on period-specific understandings of the desecrating effects of profane and obscene language. Notions of sacredness were embedded in religious beliefs of the time and extended to people who were seen as God's representatives on earth.

Regarding private-public dimensions, conflict-narratives in both genres cover wide ranges on private-public scales with complex interconnections between accessibility, conflict-scope and involved/non-involved negotiation. In comparison with conflict-letters, conflicts tried by law-courts had higher degrees of non-involved negotiation. Although KS members and JC jurors could be closely related to conflict-parties, the institutional context made legal proceedings a more detached and non-private type of conflict-settlement. Legal intervention also led to higher degrees of accessibility, for example, in the public display of indictments or the half-public settings of courtrooms. However, conflict-narratives in letters showed wider conflict-scope, culminating in the international disputes of James and Elizabeth's diplomatic correspondence. By comparison, the highest degree of conflict-scope in court-records pertained to sedition and high treason cases which endangered peace and security at the national level.

Furthermore, conflict-narratives in both genres showed various shades of individual- and group-based *face*₁ and social rights/obligations. Collective social-role responsibilities of group-representatives are a pervasive concern along the spectrum of heads of nuclear families, heads of local and regional kin-groups, local institutional representatives, and monarchs as heads of kingdoms. Both genres contained evidence for how verbal actions of individuals and verbal attacks against individuals affected the group-based identities of their kin and communities. The most individual aspect of *face*₁, i.e. quality-*face*₁, played a marginal role in the selected conflict-letters and court-records. Individual-based examples of *face*₁ mostly related to concerns about the individual's position within a group. The relative absence of quality-*face*₁ could be determined by the socio-historical context or by the pragmatic functions of the selected letters and court-records. On the one hand, it might be in line with historians' claims of collective mindsets of early modern Scottish people, both among the landed society as well as among middle- and lower-rank members of urban communities (Dawson, 1999: 212, Todd, 2002: 173-174). On the other hand, threats

against the most individual component of face_1 might have occurred more often, but were not negotiated in lawsuits or in letters purposed for regional and national governance.

The relative contrast between more private and non-private conflict-settlement in letters and law-courts shaped the metalanguage of verbal offences, not least because the participants who composed offence-reports had different interactional roles. In conflict-letters, individual correspondents addressed concerns of their own, their groups, or even kingdoms. In legal proceedings, the concerns of individuals and groups were mediated by legal professionals. The person of James, who occurs in both genres, exemplifies the difference. In his letters, the king responded directly to perceived offences against self-aspects of his social role and identity. In legal cases against offenders of James, treasonable expressions were judged by court-officials, who acted on behalf of the absent king. The difference might explain why legal offence terms were rare in the investigated letter material. Characteristic verbal offence labels seem to reflect the function of conflict-letters to negotiate minor offences in more private contexts, in which conflict-parties and mediators belonged to the same social networks. Moreover, politeness framings were only attested in correspondence. The use of politeness framings might reflect higher degrees of personal involvement in epistolary conflict-negotiations: correspondents who settled conflicts were conflict-parties or mediators with close relationships with conflict-parties, contrasting with the more detached legal intervention of law-courts. In the socio-economic context of early modern Scotland, regional and diplomatic alliances were pivotal to secure territorial power, and sometimes even the survival, of kin-groups and countries (see Cathcart, 2006: 98-99, 213-216, Doran, 2005: 204). Hence, relational proximity in conflict-letters required that perceived offences were reported in a way that was sensitive to existing relationships with interlocutors to prevent escalation of conflicts. However, the lack of courtroom dialogue in early modern Scottish court-records presents a caveat. Politeness framings could have been employed by participants in legal proceedings, but they were not recorded.¹⁵² Language was used for rapport-management in local parish conflicts settled by KS, but in a different form: repair of face_1 and social relations was conducted in the final phase of conflicts through formulaic confessions and apologies in penance rituals.

Despite these differences, the verbal offence metadiscourse in correspondence and court-records also showed shared elements. Similar or identical moral and religious expressions

¹⁵² Apparently superficial politeness framings were used in a present-day trial analysed by Johnson and Clifford (2011).

may be explained by the fact that both genres were embedded in the same wider socio-historical context. Moreover, courtly terms of *honour* and *duty* in conflict-letters were also attested in court-records, with similar preferences across social ranks, albeit, for *duty*, with religious connotations in KS records.

The evidence of the investigated letter and court-records material suggested that private and non-private aspects of conflicts could aggravate the perceived gravity of offence. Inter-relations between participants' perceived harmful effects of language and their notions of private and public were multiple, probably depending on the nature of verbal offences. Speech-acts which were understood to be disparaging to targets' public self-image appear to have been perceived as even more harmful if performed in more public contexts or against persons holding public offices. Conversely, verbalised intentions of inflicting physical harm seem to have been judged more severely if communicated in non-public contexts.

10.3. The present study in the context of (im)politeness research

In what follows, the theoretical, methodological and descriptive aims outlined in Chapter 1 are revisited. The present study is discussed with respect to its contributions and implications for (im)politeness research, both historical and modern. Moreover, the limits of the present framework and findings are assessed.

Among the theoretical contributions of this study are the modifications of Spencer-Oatey's (e.g. 2005) and Culpeper's (2011a) impoliteness constituents. Spencer-Oatey's face-concept was extended to include the entire spectrum of individual- and group-based identities and relationships. The extension addresses current issues in modern (im)politeness research. Although Brown and Levinson's (1987) face-concept was criticised as individualistic in the first wave of politeness research (e.g. Ide, 1989, Matsumoto, 1988), no alternative face-concept was developed to redress the shortcomings. Spencer-Oatey (2002a, 2007) eventually added relational and collective self-aspects. More recently, Kádár et al. (2013: 344, 348) pointed out that many previous approaches to face, including Goffman's (1967) and Spencer-Oatey's (2002a, 2007) definitions, lacked distinct group dimensions. This study adds to Kádár et al.'s (2013) proposed framework for investigating manifestations of group-face₁ as distinct from individual face₁. As a contribution to historical

(im)politeness research, Spencer-Oatey's categories of social rights/obligations were adapted for analyses of early modern data.

Furthermore, this study has developed the first multi-scalar model in (im)politeness research for systematic descriptions of private-public dimensions of conflict-interactions. The model is a response to changing views of communication. Thomas (1995: 21-22) notes that previous perspectives of communication were biased towards the speaker or the recipient. As an alternative view, she defines the construction of meaning in interaction as a "dynamic process" of "negotiation" between speakers and recipients (Thomas, 1995: 22). The co-constructionist perspective of communication has been further developed by Arundale (e.g. 1999, 2010). However, the role of participants other than speakers and recipients in the construction of (im)politeness understandings has rarely been considered until very recently (see Kádár and Haugh, 2013, Mueller Dobs and Garcés-Conejos Blitvich, 2013). The private-public scales of this study encourage the expansion of the analytic focus beyond speakers and recipients to any other audience-members or absent third-parties and their various interactional roles in communicative situations.

The present findings have three major theoretical implications for (im)politeness research. Adopting and extending Spencer-Oatey's (2002a, 2007) face-concept enabled descriptions of intersecting individual and collective components of face₁-attacks. If this study had been carried out along the lines of Brown and Levinson's (1987) theory, the dynamics of individual and group dimensions of face₁ would have remained hidden, because their face-concept lacks these distinctions. Instead, I would probably have concluded that positive face was more prominent than negative face since interlocutors in early modern Scottish letters and court-records showed more interest in having aspects of their public self-image approved by others rather than insisting that their boundaries of self would be respected. The findings would have corroborated Kopytko's (1995) claim of a positive politeness culture in the early modern period. However, I would argue that the extended face₁-categories combined with contextualised readings of historical sources lead to more differentiated findings, which further enhance our knowledge of individual and collective dimensions of social conduct in the past. The marginality of quality-face₁ in the investigated correspondence and court-records samples is very different from research findings in present-day English. Culpeper's (2011a: 9-10, 43-47) cross-cultural quantitative case study shows that quality-face₁ is the most significant category for present-day English impoliteness reported by British students. Social-identity face₁ is less relevant, while relational

face₁ was found to be even more infrequent (Culpeper, 2011a: 44-45). As a result, the most individual dimension of face₁ clearly prevails over more collective aspects. Unlike early modern Scottish correspondents and litigants in legal cases, present-day British students stress mostly personal aspects of face₁-threats rather than concerns of specific or generic group-membership. Culpeper and Demmen (2011) argue that the individual dimension in British politeness emerged in the 19th century, as expressed through conventional indirect requests pertaining to an individual's abilities, while those forms of linguistic indirectness were rare in Shakespeare's plays. However, assuming that early modern Scottish people's group-oriented communicative behaviour is a reflex of the general Western diachronic shift from collectivism to individualism would be an oversimplified conclusion. Hahn and Hatfield (2011, 2014) note that the individual/collective distinction between Western and Eastern societies is not as simple as often claimed. In a similar vein, the multiple face₁-concerns of more individual- and group-based dimensions attested in Scottish texts before 1700 also suggest a more nuanced understanding of different expressions of self. Conventionalised non-imposition politeness formulae in the *Breadalbane* letters, for instance, suggest that showing respect towards an individual's space might have been expressed through linguistic resources other than indirectness (see Section 5.3.1).

Case studies of early modern Scottish correspondence and court-records further demonstrate the usefulness of a multi-constituent framework of (im)politeness. Face is not the only factor in verbal offences. Period-specific social norms in hierarchical relationships, e.g. deference, loyalty, and lordship, are equally important and often underpin face₁-concerns. There could also be physical consequences, beyond face. As shown in the analyses of James's letters, participants' interactional goals are important to interpret their selection of face₁- or social-norm-based conflict-strategies. All of these components are included in Culpeper's (2011a) impoliteness framework, which makes it a valuable starting-point, although modifications have to be made for historical contexts.

Moreover, the multiple perspectives on verbal offences in court-records lend support to both Arundale's (2010) and Spencer-Oatey's (2011, 2013a, c) views of face (see Chapters 2-3). Interactions of community-members and KS, JC debates between defence and prosecution, and the mediation of verbal offences against the absent king by royal representatives and criminal courts indicate that face was jointly co-constructed. However, it was not jointly co-constructed in the sense that each participant's perception was given equal

weight.¹⁵³ The ultimate authority to approve or reject participants' interpretations of verbal offences was held by law-courts (Culpeper and Semino, 2000: 113). If my explanations of different experiences of offence are plausible, there would also be a cognitive component, as argued by Spencer-Oatey (2011) and Leech (2014: 25), and confirmed by Arundale (2013b: 138).

In line with the stated methodological aims, this study has developed methods for applying Culpeper's (2011a) modern perception-oriented impoliteness model to historical data. As one of the pioneers in testing Culpeper's (2011a) framework on historical texts, this investigation is, to my knowledge, the first book-length application. Metacommunicative, pragmalinguistic and contextual indicators were defined to identify verbal offences/aggression in historical data. While Culpeper's (2011a: 93-100) mappings of metalinguistic labels of impoliteness to semantic domains are based on modern thesauri, this study employed the HTOED to categorise verbal offence terms.

The combination of Culpeper's (2011a) impoliteness concept with Jucker and Taavitsainen's (2000) pragmatic space helped to tease out more insights about period- and situation-specific understandings of verbal offences. In the analysis of court-records, it shed light on the interplay between impoliteness with and without legal consequences as well as its legitimisation by legal authorities. Moreover, the extended focus revealed the fuzzy boundaries of witches' speech between performing symbolic and actual harm.

Qualitative descriptions of verbal offences in this study contribute to filling the gaps in the history of impoliteness of Britain. The metalanguage to communicate notions of verbal offences in early modern Scottish contexts greatly differed from the vocabulary of impoliteness reports used by Culpeper's (2011a) present-day English informants. By comparison, evaluations of verbal misconduct in 18th- and 19th-century contexts, which are closer in time to the investigated texts, show similar moral and religious dimensions (Bös, 2014, McEnery, 2006). Elements of OE politeness, i.e. kinship and loyalty (Kohnen, 2008: 142, 155), were still operative in early modern Scottish contexts. People's metacommunicative comments on communicative behaviour are our keys to accessing historical understandings of (im)politeness (Bax and Kádár, 2011: 12). Currently, we still know too little about

¹⁵³ Archer (2011: 3222) criticises Arundale for presuming symmetry between interlocutors in the co-construction of meaning. She convincingly argues that symmetry between interlocutors does not exist in courtroom contexts.

evaluations of offensive language use in different historical periods and genres to trace the emergence and decline of specific chivalric, moral or religious concepts.

Furthermore, this study helps to assess the value of correspondence and court-records for historical pragmatic research on verbal conflicts. Letters have usually been used for politeness studies (see Section 4.2). However, letters are also valuable sources for investigating verbal aspects of antagonistic interactions, although, due to the literacy conditions of the time, the insights into notions of impoliteness tend to be restricted to the educated ranks (see Chapter 4). Court-records complement this limitation to some extent, but are also subject to constraints. Although court-records give access to everyday conflicts among ordinary people, recorded aspects of impoliteness were mainly those that were legally punishable. Additionally, common people's evaluations of verbal offences were presumably mostly replaced by legal discourse conventions in the recording and transmission process of oral testimonies.

The findings of this study need to be interpreted within the limits of the present approach. Insights pertain to conflict-narratives in correspondence and court-records. Other genres were not considered. Because of the short time-span and the relatively small amount of data, no diachronic developments can be traced for the investigated features. Moreover, due to the small size of the James VI sub-corpus, the comparison between letters of the Scottish king and the network around the Glenorchy Campbells is preliminary. As argued in Section 3.7, the limited scope of material was determined by the relative lack of fully searchable manuscript-based electronic sources and the aim to conduct a pioneering discursive investigation into verbal offences in Scottish texts before 1700. We first need to know how people talked about verbal offences, before we can apply corpus linguistics tools. Such qualitative reconstructions are widely acknowledged as being time-consuming (e.g. Jucker and Taavitsainen, 2013: 103). Future research along these lines would no doubt enable insights further than those achieved in the current project.

10.4. Future research

As all models, the present framework needs further testing and refinement. Indicators of verbal offences might be genre-specific. Hence, future research on different genres may involve detecting additional indicators specific to those genres. Moreover, the proposed network-strength components have to be verified against other Scottish letter-writing net-

works of the same period. Future research will also show if the private-public scales specifically designed for conflict-situations are applicable to conflicts in other genres and periods, and what elaborations need to be made.

By extending the scope to large-scale corpus analysis, it could be tested to what extent the present findings also apply to other Scottish or English texts of the same period. Can we retrieve verbal offences in other letter-writing networks or court-records by using the reconstructed inventories of verbal offence terms or is verbal offence metadiscourse more context-specific? Research could also be expanded to other genres and periods to discover the characteristics and diachronic changes of communicated concepts of social conduct and offence. Additionally, the current project offers potential for interdisciplinary collaboration in digitisation projects of Scottish historical texts.

Studying the language of conflicts in early modern Scottish texts reveals fascinating glimpses into notions of harmful language use, which were deeply embedded in period-specific concepts of religion and hierarchy. Many of the expressions that early modern Scottish people used to talk about verbal offences are still part of our present-day English lexicon. However, “the specific meanings which these words had to people born into those social structures have ceased to exist” (Leitner, 2014: s.p.).

Appendices

Appendix 1: The letter material

Tables 4.2-3 below list the letters selected for the *Breadalbane* and James VI sub-corpora. All *Breadalbane* letters are available online on the BreadC website (see Sources). Manuscript (MS) references given below refer to the catalogues of the corresponding archives. MS descriptions in Table 4.3 are taken from Akrigg (1984) except for James's letter to Elizabeth written in April 1586, which is only included in Bruce's (1849: 31-32) edition. For the letters included in Akrigg's (1984) edition, details are given to retrieve the Modern English translations of James's letters. The key to symbols added after MS references is as follows:

- Asterisk (*): These letters do not contain verbal offence metadiscourse; they contain linguistic behaviour evaluated as offensive in other letters and/or they provide essential context for the interpretation of a reported offence.
- Cross (°): Letters contain authorisation strategies referring to God (Section 5.2.1).
- Circle (°): Letters contain politeness framings (Section 5.3).

Table 4.2. The letters of the *Breadalbane* sub-corpus

MS reference	Encoder	Recipient	Date
NRS GD112/39/1/8 ^{+°}	Campbell, James (Lawers)	Grey Colin	March 1556
NRS GD112/39/2/5 [°]	Grey Colin	Menzies of Weem, James	3 August 1564
NRS GD112/39/2/13	Campbell, Duncan (Glenlyon)	Grey Colin	2 March 1563/64
NRS GD112/39/2/20 [°]	Campbell, Archibald (5th earl of Argyll)	Grey Colin	1 October 1563
NRS GD112/39/2/21 ⁺	Grey Colin	Campbell, Archibald (5th earl of Argyll)	4 October 1563
NRS GD112/39/2/22 [°]	Campbell, Archibald (5th earl of Argyll)	Grey Colin	11 October 1563
NRS GD112/39/3/24 ^{*°}	Campbell, Archibald (5th earl of Argyll)	Grey Colin	11 March 1564/65
NRS GD112/39/3/26 [°]	Campbell, Archibald (5th earl of Argyll)	Grey Colin	19 March 1564/65
NRS GD112/39/3/27 ^{+°}	Campbell, Archibald (5th earl of Argyll)	Ruthven, Katherine	19 March 1564/65
NRS GD112/39/4/12 ^{+°}	Grey Colin	Campbell, Archibald (5th earl of Argyll)	9 July 1565
NRS GD112/39/4/18 [°]	Campbell, Archibald (5th earl of Argyll)	Grey Colin	28 August 1565
NRS GD112/39/5/1	Campbell, Archibald (5th earl of Argyll)	Grey Colin	10 October 1565

NRS GD112/39/5/2 ^{+o}	Grey Colin	Campbell, Archibald (5th earl of Argyll)	16 March 1564/65
NRS GD112/39/5/5 ^{+o}	Grey Colin	Stewart of Grandtully, William	30 October 1565
NRS GD112/39/5/14 ^o	Douglas, James (4th earl of Morton)	Ruthven, Katherine	26 December 1565
NRS GD112/39/5/21	MacDonald, Ranald Og	Grey Colin	26 Sept (n.d.) [1565]
NRS GD112/39/6/2	Grey Colin	Gossip	13 Feb 1565/66
NRS GD112/39/6/8 ^o	Campbell, Archibald (5th earl of Argyll)	Grey Colin	7 April 1566
NRS GD112/39/6/20 ^o	Stewart of Grandtully, William	Grey Colin	1 June 1567
NRS GD112/39/6/22 ⁺	Grey Colin	Stewart of Grandtully, William	1 November 1565
NRS GD112/39/6/23*	Stewart of Grandtully, William	Grey Colin	25 November 1565
NRS GD112/39/6/24 ^o	Grey Colin	Stewart of Grandtully, William	26 November 1565
NRS GD112/39/6/26 ^o	Campbell, Archibald (Inverawe)	Grey Colin	5 March 1568/69
NRS GD112/39/6/31 ^o	Campbell, John (Skipnish)	Grey Colin	13 October 1563
NRS GD112/39/7/1 ^o	Murray, Patrick	Ruthven, Katherine	10 July 1570
NRS GD112/39/7/6	Stewart, John (4th earl of Atholl)	Grey Colin	30 May 1570
NRS GD112/39/7/7 ^{+o}	Campbell, Archibald (5th earl of Argyll)	Grey Colin	3 June 1570
NRS GD112/39/8/2	Stewart, John (4th earl of Atholl)	Grey Colin	7 July 1570
NRS GD112/39/8/5* ^o	Campbell, Archibald (5th earl of Argyll)	Drummond, David	18 July 1570
NRS GD112/39/8/7a* ^{+o}	Stewart, John (4th earl of Atholl)	Drummond, David	11 July 1570
NRS GD112/39/8/7b*	Stewart, John (4th earl of Atholl)	Comrie, John	11 July 1570
NRS GD112/39/8/8* ^{+o}	Stewart, John (4th earl of Atholl)	Robert Murray of Abircarney & William Reidheugh	11 July 1570
NRS GD112/39/8/9	Stewart of Grandtully, William	Grey Colin	12 July 1570
NRS GD112/39/8/11	Stewart of Grandtully, William	Grey Colin	16 July 1570
NRS GD112/39/8/22* ^{+o}	Stewart, John (4th earl of Atholl)	Grey Colin	31 July 1570
NRS GD112/39/9/1	Stewart of Grandtully, William	Grey Colin	1 August 1570
NRS GD112/39/9/4	Maitland, William	Ruthven, Katherine	2 August 1570
NRS GD112/39/9/5 ^o	Drummond, David	Campbell, Archibald (5th earl of Argyll)	4 August 1570

NRS GD112/39/9/8	Maitland, William	Ruthven, Katherine	7 August 1570
NRS GD112/39/9/21 ^{+o}	Grey Colin	Campbell, Archibald (5th Argyll)	18 August 1570
NRS GD112/39/9/27 ^{+o}	Campbell, Archibald (5th earl of Argyll)	Grey Colin	23 August 1570
NRS GD112/39/9/29 ⁺	Campbell, Archibald (5th earl of Argyll)	Grey Colin	23 August 1570
NRS GD112/39/10/1 ^o	Grey Colin	MacDougall, Dougal	6 September 1570
NRS GD112/39/11/7 ^o	Campbell, Dougal (Auchinbreck)	Grey Colin	15 October 1570
NRS GD112/39/11/8 ^o	Ruthven, William	Ruthven, Katherine	1 October 1570
NRS GD112/39/11/19	MacNaughton, Alexander	MacGregor, Patrick MacAne	12 November 1570
NRS GD112/39/12/5 ^{+o}	Grey Colin	Menzies of Weem, James	April (n.d.) [1572]
NRS GD112/39/12/13 ^{+o}	Grey Colin	Campbell, Archibald (5th earl of Argyll)	3-7 Aug (n.d.) [1570]
NRS GD112/39/14/20 ^{+o}	Ruthven, Katherine	Ruthven, Liliass	16 September 1571
NRS GD112/39/15/21	Stewart of Grandtully, William	Grey Colin	30 Nov (n.d.) [1565]

Table 4.3. The letters of the James VI sub-corpus

MS reference	Recipient	Date	MS description	ModE translation (Akrigg, 1984)
BL Add MS 23240 (ff. 41-42) ^{154 +o}	Elizabeth I	April 1586 (estimated) ¹⁵⁵	Holograph draft	n/a
CP 133/123 ^o	Elizabeth I	13 April 1594	Holograph	Letter 51 (pp. 127-130)
CP 133/125 ^{+o}	Elizabeth I	5 June 1594	Holograph	Letter 53 (pp. 131-134)
CP 133/176 ^o	Elizabeth I	24 December 1597 ¹⁵⁶	Scribal copy of a supposedly lost holograph	Letter 65 (pp. 152-153)
BL Add MS 23241 (f.5)	Maitland, John	May 1584 (?)	Holograph	Letter 8 (pp. 52-53)
BL Add MS 23241 (f.40) ^o	Maitland, John (Thirlestane)	Spring 1591	Holograph	Letter 44 (pp. 112-115)
LPL MS 930 (Item 90) ^{+o}	Carr, Robert (Somerset)	Early 1615 (estimated)	Scribal copy of a supposedly lost holograph	Letter 159 (pp. 335-341)

¹⁵⁴ Bruce (1849: 31) cites the reference of this MS as Ryder MSS Jacob No. 4; however, the letter is now included in a BL MS volume of correspondence of Elizabeth and James.

¹⁵⁵ The date is added in pencil on the original MS.

¹⁵⁶ This letter is dated 24th December 1591 in Bruce (1849: 68-69). In view of James's reference to Buccleuch's detention in Berwick, the dating of 1597 on the MS dorse, and by Akrigg (1984: 152-153), is much more plausible (see ODNB).

Appendix 2: The court-records material

Tables 7.5-10 below list the legal cases selected for the JC and KS sub-corpora. The cases are identified by the names of principal defendants. Details are given to locate the records in the consulted editions (volume/page no.) and manuscripts (MS reference). Record-types listed refer to the sections of cases considered for analyses of verbal offence metadiscourse, cited verbal offences and private-public aspects. The column does not render all available record-types for each case.

Table 7.5: The *PitcairnT* sample of this study

Principal defendants	Case-type	Record-type (court)	Date	Volume/ page no.	MS reference
William Balfour	Sedition/riot	Jury verdict (JC)	1561	I.i: 416-418	NRS JC1/11 (s.p.)
James Hepburn, 4th earl of Bothwell	High treason	Process general (JC) Summons (PC) Defence process (JC) Prosecution process (JC)	1565	I.i: 462-465	NRS JC1/12 (s.p.)
James Hepburn, 4th earl of Bothwell	High treason	Deposition (PC)	1567	I.i: 496-498	BL Cotton Caligula C I (ff. 324-330)
Euphame MacCalzean	Witchcraft	Indictment (JC) Sentence (JC)	1591	I.ii: 249-257	NRS JC2/2 (ff. 221r-227v)
John Dickson	Treason	Process general (JC) Jury verdict (JC) Sentence (JC)	1596	I.ii: 385	NRS JC2/3 (pp. 95-96)
Jonet Stewart	Witchcraft	Indictment (JC) Sentence (JC)	1597	II: 25-29	NRS JC2/3 (pp. 225-229)
Edward Johnston	Sedition/riot	Process general (JC) Indictment (JC) Supplication (defence) Warrant (royal)	1596/97	II: 29-34	NRS JC2/3 (pp. 237-243)
John Ruthven, 3 rd earl of Gowrie	High treason	Interrogatory (PBC) Depositions (PBC, Parliament/PC)	1600	II: 156-203	NRS PA7/23/2/1 (Items 108/1, 108/3, 108/10) NRS PA2/16 (ff. 8r-11r)
Harry Ruthven (Freeland)	Treason	Depositions (PC/JC)	1610	II: 325-329	NRS PC15/5 (Items SP108/10, SP108/13, SP108/14)
Issobel Greirson	Witchcraft	Process general (JC) Indictment (JC) Jury verdict (JC) Sentence (JC)	1607	II: 523-526	NRS JC2/4 (pp. 346-350)
Issobell Haldane	Witchcraft	Deposition (KS)	1623	II: 536	NRS PC11/8/2B (f.8/231)
John, 9 th lord Maxwell	Treason	Depositions (PC)	1608	III: 41-43	NRS PC10/8A (Item VIII/121)

John, 9 th lord Maxwell	Murder under trust	Depositions (PC)	1608-09	III: 43-47	NRS PC10/8A (Items VIII/5, VIII/119)
John Stewart	Murder under trust	Indictment (JC)	1609	III: 74-76	NRS JC2/4 (pp. 642-651)
William Tuedie	Treason	Process general (JC) Indictment (JC) Jury verdict (JC) Sentence (JC)	1612	III: 220-222	NRS JC2/5 (ff. 27v-29v, 31)
Patrick Stewart, 2 nd earl of Orkney	High treason	Depositions (JC)	1614	III: 294-327	NRS JC26/7 (Items 73, 74)
John Fleming	Treason	Process general (JC) Indictment (PC) Jury verdict (JC) Sentence (JC)	1615	III: 359-360	NRS JC2/5 (ff. 165v-166v)
Margaret Wallace	Witchcraft	Depositions (JC?) Process general (JC) Indictment (JC) Defence process (JC) Self-defence process (JC) Prosecution process (JC) Sentence (JC)	1622	III: 508-536	NRS JC2/6 (ff. 59v-78v)

Table 7.6: The SJC sample of this study

Principal defendants	Case-type	Record-type (court)	Date	Volume/ Page no.	MS ref.
Issobell Young	Witchcraft	Process general (JC) Indictment (JC) Defence process (JC) Self-defence process (JC) Prosecution process (JC) Jury verdict (JC) Sentence (JC)	1629	I: 96-120	NRS JC2/6 (ff. 264r-277v)
Katherine Oswald	Witchcraft	Process general (JC) Indictment (JC) Defence process (JC) Prosecution process (JC) Sentence (JC)	1629	I: 130-140	NRS JC2/6 (ff. 303r-310r)
Alexander Hamilton	Witchcraft	Indictment (JC)	1630	I: 143-148	NRS JC2/6 (ff. 315v-319r)
James Stewart of Killeith, 4 th lord Ochiltree	Sedition/ leasing-making	Depositions (PC) Process general (JC) Indictment (JC) Defence process (JC) Prosecution process (JC)	1631-33	I: 176-197	NRS JC2/7 (ff. 24r-51v, 107v)
Thomas Crombie	Hamesucken (assault)	Indictment (JC)	1638	I: 290-294	NRS JC2/8 (pp. 29-32)
Thomas Bryce	Slaughter	Prosecution process (JC)	1639	I: 299-305	NRS JC2/8 (pp. 69-73)

John Stewart (Ladywell)	Sedition/ leasing- making	Process general (JC) Indictment (JC) Self-defence process (JC) Prosecution process (JC) Jury verdict (JC) Sentence (JC) Verdict (Parliament) Supplication (prosecution)	1641	II: 426-442	NRS JC2/8 (pp. 136-150)
John Burgh	Witchcraft	Indictment (JC)	1643	III: 597-602	NRS JC2/8 (pp. 340-344)
Agnes Finnie	Witchcraft	Depositions (KS) Process general (JC) Indictment (JC) Defence process (JC) Prosecution process (JC) Jury verdict (JC) Sentence (JC)	1644-45	III: 636-673	NRS JC2/8 (pp. 397-425, 429)
Jean Craig	Witchcraft	Indictment (JC) Jury verdict (JC) Sentence (JC)	1649	III: 812-814	NRS JC2/8 (pp. 660-662)

Table 7.7: The *St Andrews KS* sample of this study

Principal defendants	Case-type	Record-type	Date	Volume/ Page no.	MS ref.
Walter Adie	Blasphemy	Process minutes Verdict Monition	1560	I: 34-36	CH2/316/1/1 (p.20)
Margaret Murdow	Verbal offence against KS	Process minutes Confession Verdict Monition	1560	I: 36, 41	CH2/316/1/1 (pp. 21, 23)
John Law	Verbal offence against KS member	Process minutes	1560	I: 36	CH2/316/1/1 (p.21)
William Petillok	Verbal offence against church/ KS member	Process minutes	1560	I: 36	CH2/316/1/1 (p.21)
Andrew Howburne	Blasphemy	Monition	1560	I: 43-44	CH2/316/1/1 (p.24)
James Alexander	Domestic abuse (mixed with adultery)	Petition Depositions Process minutes	1560/61	I: 63-72	CH2/316/1/1 (pp. 35-38)
Alexander Wardlaw	Verbal offence against KS member	Process minutes Verdict Penance instructions	1561	I: 82-89	CH2/316/1/1 (pp. 45-49)
Begis Calwart	Slander (sexuality)	Process minutes Verdict Penance instructions	1561	I: 105, 111	CH2/316/1/1 (pp. 55-56, 59)

William Morton of Cammo (and others)	Verbal offence against KS member	Process minutes Verdict Penance instructions	1561	I: 104-111	CH2/316/1/1 (pp. 56-59)
David Wod	Verbal offence against KS member	Process minutes Verdict Penance instructions	1562/63	I: 175-176	CH2/316/1/1 (p.102)
John Bicarton	Religious dissent	Process minutes Summonses Supplication Verdict Penance instructions	1564	I: 194-206	CH2/316/1/1 (pp. 112-117)
John Symson	Slander (religion)	Process minutes Verdict Penance instructions	1564	I: 221-222	CH2/316/1/1 (p.129)
Patrick Hepburn	Marriage contract	Depositions Process minutes Verdict	1565	I: 234-238	CH2/316/1/1 (pp. 135-138)
David Meldrum	Verbal offence against KS member	Process minutes Verdict	1565	I: 251	CH2/316/1/1 (pp. 145-146)
David Dischington	Papistry	Process minutes Verdict	1568	I: 297	CH2/316/1/1 (p.173)
John Myllar	Domestic abuse	Process minutes	1569/70	I: 329-330	CH2/316/1/1 (p.199)
Patrick Myllar	Verbal offence against KS member	Process minutes	1570/71	I: 346	CH2/316/1/1 (p.212)
Alexander Laing	Verbal offence against KS member	Process minutes	1570/71	I: 346	CH2/316/1/1 (p.213)
John Scott	Slander (sexuality)	Deposition Process minutes Verdict Penance instructions	1579	I: 440	CH2/316/1/1 (pp. 277-278)
John Downy	Blasphemy	Deposition Process minutes Verdict Penance instructions	1582	I: 482, 484	CH2/316/1/1 (pp. 307-309)
Margaret Moncur	Slander (sexuality)	Process minutes Verdict	1586	II: 566-567	CH2/316/1/1 (pp. 356-357)
John Inglis, Elaine Carno	Slander (sexuality)	Process minutes Verdict Penance instructions	1589/90	II: 659-660	CH2/316/1/1 (p.419)
John Leis	Slander (sexuality)	Process minutes	1590	II: 669-670, 675	CH2/316/1/1 (pp. 425, 429)
Jonet Husband	Slander (witchcraft)	Verdict Penance instructions	1590	II: 674-675	CH2/316/1/1 (p.428)
Mirrabel Moody	Slander (sexuality)	Verdict Penance instructions	1590/91	II: 702	CH2/316/1/1 (p.447)
Margaret Philp	Illegitimate childbirth	Confession	1592	II: 728	CH2/316/1/1 (p.462)

John Downy	Verbal offence against KS member	Process minutes Verdict Penance instructions	1593/94	II: 780, 784	CH2/316/1/1 (p.492)
Catherine Anderson	Cursing	Process minutes Verdict Penance instructions	1595	II: 798	CH2/316/1/1 (p.504)
Margaret Ogilvie	Verbal offence against church	Verdict	1595	II: 811	CH2/316/1/1 (p.515)
Magdalene Motto	Slander (witchcraft)	Process minutes Verdict Penance instructions	1597	II: 838, 843- 844	CH2/316/1/1 (pp. 532, 535)

Table 7.8: The *Canongate KS* sample of this study

Principal defendants	Case-type	Record-type	Date	Page no.	MS ref.
Sir John Scot	Papistry	Process minutes	1564	8	CH2/122/181 (p.9)
Thomas Dunbar, John Roger	Slander (sexuality)	Process minutes Verdict Penance instructions	1565	31	CH2/122/181 (pp. 67-68)
Henry Myll	Injurious words	Process minutes Verdict Penance instructions	1566	40	CH2/122/181 (p.93)
Robert Mure	Verbal offence against KS member	Process minutes Verdict Penance instructions	1566	45-46	CH2/122/181 (pp. 104-105)
Jonet Anderson	Slander (sexuality)	Process minutes Verdict Penance instructions	1566	46	CH2/122/181 (p.106)
Marion Jake, James Hart	Slander (sexuality)	Process minutes Verdict Penance instructions	1566	48, 50-51	CH2/122/181 (pp. 111, 117- 118)
James Hamilton	Slander (sexuality)	Process minutes Verdict Penance instructions	1566/67	60	CH2/122/181 (p.143)
Jonet Wilson	Slander (theft)	Process minutes Verdict Penance instructions	1566/67	61	CH2/122/181 (p.146)
Bessie Rokart	Slander (theft)	Process minutes Verdict Penance instructions	1566/67	62	CH2/122/181 (p.148)
Marron Cowan, Issobell Kincad	Slander (sexuality)	Process minutes Verdict	1566/67	64-65	CH2/122/181 (pp. 153-154)
Margaret Kincad	Slander (sexuality)	Process minutes Verdict Penance instructions	1567	71	CH2/122/181 (pp. 174-175)

Table 7.9: The *Perth KS* sample of this study

Principal defendants	Case-type	Record-type	Date	Page no.	MS ref.
Thomas Anderson	Verbal offence against KS member	Process minutes Verdict	1584	281	CH2/521/1 (p.202)
Marion Rollok	Slander (theft)	Deposition	1586	344	CH2/521/1 (p.245)

Table 7.10: The *Aberdeen KS* sample of this study

Principal defendants	Case-type	Record-type	Date	Page no.	MS ref.
Thomas Mollison	Verbal offence against civil authority	Process minutes Verdict	1603	24-25	CH2/448/2 (p.15)
John Ferguson	Slander (witchcraft)	Process minutes Verdict Penance instructions	1603	28-29	CH2/448/2 (pp. 44-45)
Helen Cassie	Slander (witchcraft)	Process minutes Verdict Penance instructions	1604	38-39	CH2/448/2 (p.91)
Katherine Kanyeauch	Slander (witchcraft)	Process minutes Verdict	1605	48-49	CH2/448/2 (p.168)
Thomas Ranald	Slander (witchcraft)	Process minutes Verdict Penance instructions	1605	49	CH2/448/2 (p.174)
Alexander Saidler & William Goldsmith	Injurious words/ actions	Process minutes Verdict	1606	55-56	CH2/448/2 (pp. 222-223)
James Murdo	Slander (witchcraft)	Process minutes Verdict Penance instructions	1607	57	CH2/448/2 (p.242)
James Mar	Slander (witchcraft)	Process minutes	1607	57	CH2/448/2 (p.251)
James Kempt	Slander (witchcraft)	Process minutes Verdict Penance instructions	1609	70-73	CH2/448/3 (pp. 18-20)
Marjorie Marno	Slander (witchcraft)	Process minutes Verdict Penance instructions	1610	74-75	CH2/448/3 (p.49)
Violet Cadenhead	Slander (witchcraft)	Verdict Penance instructions	1613	81	CH2/448/3 (p.151)
Elspett Young	Slander (witchcraft)	Verdict Penance instructions	1614	81-82	CH2/448/3 (p.179)
Agnes Herwy	Slander (child murder)	Verdict Penance instructions	1616	83	CH2/448/3 (p.221)
Thomas Mengies, Robert Irving & Thomas Laing	Religious dissent/ papistry	Process minutes Verdict	1622	107-109	CH2/448/4 (pp. 147-149)

Alexander Gordon	Religious dissent/ papisty	Process minutes	1653	121	CH2/448/6 (p.72)
Patrick Whyte	Verbal offence against KS	Confession Process minutes Verdict Penance instructions	1655	125	CH2/448/6 (p.145)
Issobell Robertson	Verbal offence against KS member	Process minutes	1656-57	138	CH2/448/6 (pp. 261-262)
John Cowtes	Cursing	Deposition Verdict	1657	139	CH2/448/6 (pp. 262-263)
Andrew Dickson	Religious dissent/ papisty	Deposition Process minutes Verdict	1657	140-141	CH2/448/6 (pp. 276-277)

References

Primary sources

Manuscript

- Aberdeen City Archives (digital images accessible at NRS). Records of Aberdeen, St Nicholas Kirk Session – Minutes, 1602-1661, MS CH2/448/2 (pp. 15, 44-45, 91, 168, 174, 222-223, 242, 251), MS CH2/448/3 (pp. 18-20, 49, 151, 179, 221), MS CH2/448/4 (pp. 147-149), MS CH2/448/6 (pp. 72, 145, 261-263, 276-277).
- British Library, London. Original Letters of Queen Elizabeth to James VI. of Scotland; 1582-1596, Add MS 23240 (ff. 38-39, 41-42, 132-133).
- British Library, London. Original Letters of James VI. of Scotland, and Others; 1567-1595, Add MS 23241: (ff. 5, 40).
- British Library, London. Records and papers (originals and copies) concerning England and Scotland, 1567-1570, Cotton MS Caligula C I (ff. 324-330).
- Hatfield House, Hatfield/UK. The Cecil Papers (online database), CP 133/123, CP 133/125, CP 133/176. Available at: <http://cecilpapers.chadwyck.com/home.do>. Accessed: 27 November 2014.
- Lambeth Palace Library, London. Miscellaneous Papers (Gibson Papers), MS 930 (Item 90).
- National Records of Scotland, Edinburgh. Acts of the Parliaments, MS PA2/16 (ff. 8r-11r).
- National Records of Scotland, Edinburgh. Court Books – Old Series, 1559-1566, MS JC1/11 (s.p.), MS JC1/12 (s.p.).
- National Records of Scotland, Edinburgh. High Court Book of Adjournal – Old Series, 1584-1650, MS JC2/2 (ff. 221r-227v), MS JC2/3 (pp. 95-96, 225-229, 237-243), MS JC2/4 (pp. 346-350), MS JC2/4 (pp. 642-651), MS JC2/5 (ff. 27v-29v, 31, 165v-166v), MS JC2/6 (ff. 59v-78v, 264r-277v, 303r-310r, 315v-319r), MS JC2/7 (ff. 24r-51v, 107v), MS JC2/8 (pp. 29-32, 69-73, 136-150, 340-344, 397-425, 429, 660-662).
- National Records of Scotland, Edinburgh. High Court of Justiciary Processes, 1610-1619, MS JC26/7 (Items 73, 74).
- National Records of Scotland, Edinburgh. Portfolio of Papers Relating to the Gowrie Conspiracy, 1600-1609, MS PA7/23/2/1 (Items 108/1, 108/3, 108/10).
- National Records of Scotland, Edinburgh. Privy Council Papers 1st Series, 1607-1609, MS PC10/8A (Items VIII/5, VIII/119, VIII/121).
- National Records of Scotland, Edinburgh. Privy Council Papers 2nd Series, 1613-1660, MS PC11/8/2B (f. 8/231).
- National Records of Scotland, Edinburgh. Privy Council: Supplementary Papers, 1601-1610, MS PC15/5 (Items SP108/10, SP108/13, SP108/14).
- National Records of Scotland, Edinburgh. Records of Edinburgh, Canongate Kirk Session – Minutes, 1565-1567, MS CH2/122/181 (pp. 9, 67-68, 93, 104-106, 111, 117-118, 143, 146, 148, 153-154, 174-175).
- National Records of Scotland, Edinburgh. Records of Perth, St. John's (general session) Kirk Session – Minutes, 1577-1586, MS CH2/521/1 (pp. 202, 245).
- Special Collections, University of St Andrews. Records of St. Andrews's Kirk Session, 1559-1600, MS CH2/316/1/1 (pp. 20-21, 23-24, 35-38, 45-49, 55-59, 102, 112-117, 129, 135-138, 145-146, 173, 199, 212-213, 277-278, 307-309, 356-357, 419, 425, 428-429, 447, 462, 492, 504, 515, 532, 535).

Print/online

- Aberdeen KS = Stuart, J. (ed.). 1846. *Selections from the Records of the Kirk Session, Presbytery, and Synod of Aberdeen*. Aberdeen: Spalding Club.
- Akrigg, G. P. V. (ed.). 1984. *Letters of King James VI & I*. Berkeley/Los Angeles: University of California Press.
- Bruce, J. (ed.). 1849. *Letters of Queen Elizabeth and King James VI of Scotland*. London: Camden Society.
- Cameron, J. K. (ed.). 1972. *The First Book of Discipline*. Edinburgh: Saint Andrew Press.
- Canongate KS = Calderwood, A. B. (ed.). 1961. *The Buik of the Kirk of the Canagait 1564-1567*. Edinburgh: Scottish Record Society.
- Craigie, J. (ed.). 1944. *The Basilikon Doron of King James VI*. Edinburgh: Scottish Text Society.
- Craigie, J. (ed.). 1982. *Minor Prose Works of King James VI and I*. Edinburgh: Scottish Text Society.
- Dawson, J. (ed.). 2004/2007. *The Breadalbane Collection, 1548-1583*. University of Edinburgh. Available at: <http://www.ed.ac.uk/schools-departments/divinity/research/resources/breadalbane/overview>. Accessed: 27 November 2014.
- Day, A. 1586. *The English Secretorie*. London: Printed by Robert Waldegrave.
- De la Serre, P. 1668. *The Secretary of Fashion*. London: Printed for J. M.
- Erasmus, D. 1521. *Libellus de Conscribendis Epistolis*. Cambridge: Per Ioannem Siberch.
- Fulwood, W. 1568. *The Enimie of Idlenesse*. London: Printed by Henry Bynneman, for Leonard Maylard.
- GNV = 1599 Geneva Bible. 2006. Dallas: Tolle Lege Press. Available at: <https://www.biblegateway.com/versions/1599-Geneva-Bible-GNV/>. Accessed: 21 December 2014.
- Knox, J. 1587. *The History of the Reformation of Religion within the Realm of Scotland*. London: Printed by T. Vautrollier.
- Perth KS = Todd, M. (ed.). 2012. *The Perth Kirk Session Books 1577-1590*. Woodbridge: Scottish History Society.
- Pitcairn Trials = Pitcairn, R. (ed.). 1833. *Criminal Trials in Scotland from 1488 to 1624*. 3 vols. CD-ROM. Burlington, Canada: TannerRitchie Publishing, 2005.
- SJC = Gillon, S. A. and Smith, J. I. (eds.). 1953/1972-74. *Selected Justiciary Cases 1624-1650*. 3 vols. Edinburgh: Stair Society.
- St Andrews KS = Fleming, D. H. (ed.). 1889-90. *Register of the Minister Elders and Deacons of the Christian Congregation of St. Andrews Comprising the Proceedings of the Kirk Session and of the Court of the Superintendent of Fife Fothrik and Strathearn. 1559-1600*. Edinburgh: Scottish History Society.

Secondary sources

- Akrigg, G. P. V. (ed.). 1984. *Letters of King James VI & I*. Berkeley: University of California Press.
- Aldis, H. G. 1970. *A List of Books Printed in Scotland before 1700*. Edinburgh: National Library of Scotland.
- Alison, A. 1989 [1832]. *Principles of the Criminal Law of Scotland*. Edinburgh: The Law Society of Scotland.
- Allinson, R. 2007. "These latter days of the world": The correspondence of Elizabeth I and James VI, 1590-1603. *Early Modern Literary Studies* 16:2, 1-27.

- Archer, D. E. 2007. Developing a more detailed picture of the English courtroom (1640-1760): Data and methodological issues facing historical pragmatics. In: S. M. Fitzmaurice and I. Taavitsainen (eds.). *Methods in Historical Pragmatics*. Berlin: Mouton De Gruyter, 185-217.
- Archer, D. E. 2008. Verbal aggression and impoliteness: Related or synonymous? In: D. Bousfield and M. A. Locher (eds.). *Impoliteness in Language: Studies on Its Interplay with Power in Theory and Practice*. Berlin/New York: Mouton de Gruyter, 181-207.
- Archer, D. E. 2011a. Cross-examining lawyers, facework and the adversarial courtroom. *Journal of Pragmatics* 43:13, 3216-3230.
- Archer, D. E. 2011b. Facework and im/politeness across legal contexts: An introduction. *Journal of Politeness Research* 7, 1-19.
- Ariès, P. and G. Duby (eds.). 1985-1987. *Histoire de la vie privée*. Paris: Seuil.
- Arnovick, L. K. 1999. *Diachronic Pragmatics: Seven Case Studies in English Illocutionary Development*. Amsterdam/Philadelphia: John Benjamins.
- Arundale, R. B. 1999. An alternative model and ideology of communication for an alternative to politeness theory. *Pragmatics* 9:1, 119-153.
- Arundale, R. B. 2009. Face as emergent in interpersonal communication: An alternative to Goffman. In: F. Bargiela-Chiappini and M. Haugh (eds.). *Face, Communication and Social Interaction*. London: Equinox, 33-54.
- Arundale, R. B. 2010. Constituting face in conversation: Face, facework, and interactional achievement. *Journal of Pragmatics* 42:8, 2078-2105.
- Arundale, R. B. 2013a. Face as a research focus in interpersonal pragmatics: Relational and emic perspectives. *Journal of Pragmatics* 58, 108-120.
- Arundale, R. B. 2013b. Face, relating, and dialectics: A response to Spencer-Oatey. *Journal of Pragmatics* 58, 138-142.
- Arundale, R. B. 2013c. Is face the best metaphor? *Sociocultural Pragmatics* 1:2, 282-297.
- Austin, J. L. 1962. *How to Do Things with Words*. Oxford: Clarendon Press.
- Austin, P. 1990. Politeness revisited - the dark side. In: A. Bell and J. Holmes (eds.). *New Zealand Ways of Speaking English*. Philadelphia: Multilingual Matters, 277-293.
- Bannerman, J. M. and R. Black. 1978. A sixteenth-century Gaelic letter. *Scottish Gaelic Studies* 13, 56-65.
- Bannet, E. T. 2005. *Empire of Letters: Letter Manuals and Transatlantic Correspondence, 1680-1820*. Cambridge: Cambridge University Press.
- Bax, M. 2010. Epistolary presentation rituals: Face-work, politeness, and ritual display in Early Modern Dutch letter-writing. In: J. Culpeper and D. Z. Kádár (eds.). *Historical (Im)politeness*. Bern: Peter Lang, 37-85.
- Bax, M. 2011. An evolutionary take on (im)politeness. *Journal of Historical Pragmatics* 12:1-2, 255-282.
- Bax, M. and D. Z. Kádár. 2011. The historical understanding of historical (im)politeness. *Journal of Historical Pragmatics* 12:1-2, 1-24.
- Bax, R. C. 2000. A network strength scale for the study of eighteenth-century English. *European Journal of English Studies* 4:3, 277-289.
- Bell, A. 1984. Style as audience design. *Language in Society* 13:2, 145-204.
- Bell, A. 1997. Language style as audience design. In: N. Coupland and A. Jaworski (eds.). *Sociolinguistics: A Reader and Coursebook*. Houndmills: Macmillan, 240-250.
- Bell, A. 2001. Back in style: Reworking audience design. In: P. Eckert and J. R. Rickford (eds.). *Style and Sociolinguistic Variation*. Cambridge: CUP, 139-169.
- Blum-Kulka, S. 1990. You don't touch lettuce with your fingers: Parental politeness in family discourse. *Journal of Pragmatics* 14:2, 259-288.

- Bös, B. 2014. Verbal misconduct through the lens of Victorian London newspapers. *International Conference on English Historical Linguistics 18 (ICEHL 18)*. KU Leuven, Belgium, 14-18 July 2014.
- Bousfield, D. 2008. *Impoliteness in Interaction*. Amsterdam/Philadelphia: John Benjamins.
- Bousfield, D. 2010. Researching impoliteness and rudeness: Issues and definitions. In: M. A. Locher and S. L. Graham (eds.). *Interpersonal Pragmatics*. Berlin/New York: De Gruyter Mouton, 101-134.
- Bousfield, D. 2013. Face in conflict. *Journal of Language Aggression and Conflict* 1:1, 37-57.
- Boyer, A. 1708. *The English Theophrastus*. London: Printed for William Turner and John Chantry.
- Brown, G. and G. Yule. 1983. *Teaching the Spoken Language: An Approach Based on the Analysis of Conversational English*. Cambridge: CUP.
- Brown, P. 2001. Politeness and language. In: N. J. Smelser and P. B. Baltes (eds.). *International Encyclopedia of the Social & Behavioral Sciences*. Amsterdam: Elsevier, 11620-11624.
- Brown, P. and S. Levinson. 1987. *Politeness. Some Universals in Language Usage*. Cambridge: CUP.
- Brown, R. and A. Gilman. 1960. The pronouns of power and solidarity. In: T. A. Sebeok (ed.). *Style in Language*. Cambridge, Mass.: MIT Press, 253-276.
- Brown, R. and A. Gilman. 1989. Politeness theory and Shakespeare's four major tragedies. *Language in Society* 18:2, 159-212.
- Brownlees, N. 2010. Capt. Badiley's answer unto Capt. Appleton's Remonstrance (1653): The recontextualisation in print of private correspondence. In: N. Brownlees, G. Del Lungo Camiciotti and J. Denton (eds.). *The Language of Public and Private Communication in a Historical Perspective*. Newcastle upon Tyne: Cambridge Scholars Publishing, 191-212.
- Brownlees, N., G. Del Lungo Camiciotti and J. Denton (eds.). 2010. *The Language of Public and Private Communication in a Historical Perspective*. Newcastle upon Tyne: Cambridge Scholars Publishing.
- Bruce, J. (ed.). 1849. *Letters of Queen Elizabeth and King James VI of Scotland*. London: Camden Society.
- Bruce, J. (ed.). 1861. *Correspondence of King James VI. of Scotland with Sir Robert Cecil and Others in England during the Reign of Queen Elizabeth*. London: Camden Society.
- Bryson, A. 1998. *From Courtesy to Civility: Changing Codes of Conduct in Early Modern England*. Oxford: Clarendon Press.
- Bucholtz, M. 1999. "Why be normal?": Language and identity practices in a community of nerd girls. *Language in Society* 28:2, 203-223.
- Bucholtz, M. and K. Hall. 2004. Language and identity. In: A. Duranti (ed.). *A Companion to Linguistic Anthropology*. Malden, Mass.: Blackwell, 369-394.
- Calderwood, A. B. (ed.). 1961. *The Buik of the Kirk of the Canagait 1564-1567*. Edinburgh: Scottish Record Society.
- Cambridge Dictionaries Online. 2014. Cambridge: CUP. Available at: <http://dictionary.cambridge.org/>. Accessed: 15 November 2014.
- Campbell, A. 2000. *A History of Clan Campbell: From Origins to Flodden*. Edinburgh: Polygon.
- Campbell, A. 2002. *A History of Clan Campbell: From Flodden to the Restoration*. 3. Edinburgh: Edinburgh University Press.
- Carneiro, D., P. Novais and J. Neves. 2014. *Conflict Resolution and Its Context: From the Analysis of Behavioural Patterns to Efficient Decision-Making*. Cham: Springer.
- Cathcart, A. 2006. *Kinship and Clientage: Highland Clanship 1451-1609*. Leiden: Brill.

- Cathcart, A. 2008. "Inressyng of kyndnes, and renewing off thair blud": The family, kinship and clan policy in sixteenth-century Scottish Gaeldom. In: E. Ewan and J. Nugent (eds.). *Finding the Family in Medieval and Early Modern Scotland*. Aldershot, UK: Ashgate, 127-138.
- Cecconi, E. 2010. Witness narratives in 17th century trial proceedings: A case study of historical courtroom public discourse. In: N. Brownlees, G. Del Lungo Camiciotti and J. Denton (eds.). *The Language of Public and Private Communication in a Historical Perspective*. Newcastle upon Tyne: Cambridge Scholars Publishing, 245-262.
- Cecconi, E. 2012. *The Language of Defendants in the 17th-Century English Courtroom: A Socio-Pragmatic Analysis of the Prisoners' Interactional Role and Representation*. Bern: Peter Lang.
- Chaemsaihong, K. 2009. Re-visiting Salem: Self-face and self-politeness in the Salem witchcraft trials. *Journal of Historical Pragmatics* 10:1, 56-83.
- Chambers, J. K. 1995. *Sociolinguistic Theory*. Oxford: Blackwell.
- Chen, S., H. C. Boucher and M. Parker Tapias. 2006. The relational self revealed: Integrative conceptualization and implication for interpersonal life. *Psychological Bulletin* 132:2, 151-179.
- Coward, B. 1988. *Social Change and Continuity in Early Modern England 1550-1750*. London/New York: Longman.
- Croom, A. M. 2013. How to do things with slurs: Studies in the way of derogatory words. *Language and Communication* 33:3, 177-204.
- Crystal, D. 2003. *A Dictionary of Linguistics and Phonetics*. 5th ed. Malden, MA: Blackwell.
- Cuddy, N. 1987. The revival of the entourage: The bedchamber of James I, 1603-1625. In: D. Starky, D. A. L. Morgan, J. Murphy, P. Wright, N. Cuddy and K. Sharpe (eds.). *The English Court: From the Wars of the Roses to the Civil War*. London/New York: Longman, 173-225.
- Culpeper, J. 1996. Towards an anatomy of impoliteness. *Journal of Pragmatics* 25, 349-367.
- Culpeper, J. 2005. Impoliteness and 'The Weakest Link'. *Journal of Politeness Research* 1:1, 35-72.
- Culpeper, J. 2010. Historical sociopragmatics. In: A. H. Jucker and I. Taavitsainen (eds.). *Historical Pragmatics*. Berlin/New York: De Gruyter Mouton, 69-94.
- Culpeper, J. 2011a. *Impoliteness: Using Language to Cause Offence*. Cambridge: CUP.
- Culpeper, J. 2011b. "It's not what you said, it's how you said it!" Prosody and impoliteness. In: L. P. R. Group (ed.). *Discursive Approaches to Politeness*. Berlin/Boston: De Gruyter Mouton, 57-83.
- Culpeper, J. 2011c. Politeness and impoliteness. In: K. Aijmer and G. Andersen (eds.). *Sociopragmatics*. Berlin: Mouton de Gruyter, 391-436.
- Culpeper, J. and D. E. Archer. 2008. Requests and directness in Early Modern English trial proceedings and play texts, 1640-1760. In: A. H. Jucker and I. Taavitsainen (eds.). *Speech Acts in the History of English*. Amsterdam/Philadelphia: John Benjamins, 45-84.
- Culpeper, J., D. Bousfield and A. Wichmann. 2003. Impoliteness revisited: With special reference to dynamic and prosodic aspects. *Journal of Pragmatics* 35:10-11, 1545-1579.
- Culpeper, J. and J. Demmen. 2011. Nineteenth-century English politeness: Negative politeness, conventional indirect requests and the rise of the individual self. *Journal of Historical Pragmatics* 12:1-2, 49-81.
- Culpeper, J. and D. Z. Kádár (eds.). 2010. *Historical (Im)politeness*. Bern: Peter Lang.

- Culpeper, J. and M. Kytö. 2000. Data in historical pragmatics: Spoken interaction (re)cast as writing. *Journal of Historical Pragmatics* 1:2, 175-199.
- Culpeper, J. and M. Kytö. 2010. *Early Modern English Dialogues. Spoken Interaction as Writing*. Cambridge: CUP.
- Culpeper, J. and E. Semino. 2000. Constructing witches and spells: Speech acts and activity types in Early Modern England. *Journal of Historical Pragmatics* 1:1, 97-116.
- Cusack, B. (ed.). 1998. *Everyday English, 1500-1700. A Reader*. Edinburgh: Edinburgh University Press.
- Dawson, J. 1991. "The face of ane perfyt reformed kyrk": St Andrews and the early Scottish Reformation. In: J. Kirk (ed.). *Humanism and Reform: The Church in Europe, England and Scotland, 1400-1643*. Oxford: Blackwell, 413-435.
- Dawson, J. (ed.). 1997. *Campbell Letters 1559-1583*. Edinburgh: Scottish History Society.
- Dawson, J. 1998. The Gaidhealtachd and the emergence of the Scottish Highlands. In: B. Bradshaw and P. Roberts (eds.). *British Consciousness and Identity: The Making of Britain, 1533-1707*. Cambridge: CUP, 259-300.
- Dawson, J. 1999. Clan, kin and Kirk: The Campbells and the Scottish Reformation. In: N. S. Amos, A. Pettegree and H. van Nierop (eds.). *The Education of a Christian Society*. Aldershot: Ashgate, 211-242.
- Dawson, J. 2004/2007. The Breadalbane Collection, 1548-1583. Edinburgh: University of Edinburgh.
- Daybell, J. 2012. *The Material Letter in Early Modern England : Manuscript Letters and the Culture and Practices of Letter-Writing, 1512-1635*. Houndmills/New York: Palgrave Macmillan.
- Del Lungo Camiciotti, G. 2010. Introduction. In: N. Brownlees, G. Del Lungo Camiciotti and J. Denton (eds.). *The Language of Public and Private Communication in a Historical Perspective*. Newcastle upon Tyne: Cambridge Scholars Publishing, 1-23.
- Deutschmann, M. 2003. *Apologising in British English*. Umea: Umea Universitet.
- Devitt, A. 1989. *Standardizing Written English: Diffusion in the Case of Scotland 1520-1659*. Cambridge: CUP.
- Dickinson, W. C. 1958. The High Court of Justiciary. In: L. Normand (ed.). *An Introduction to Scottish Legal History*. Edinburgh: Stair Society, 408-412.
- Doran, S. 2005. Loving and affectionate cousins? The relationship between Elizabeth I and James VI of Scotland 1586-1603. In: S. Doran and G. Richardson (eds.). *Tudor England and Its Neighbours*. London: Palgrave Macmillan, 203-234.
- Dossena, M. 2001. *Committed wittingly, willinglie and of purpose*: Exclusiveness and intensification in Early Modern English legal texts. In: M. Gotti and M. Dossena (eds.). *Modality in Specialized Texts*. Bern: Peter Lang, 113-131.
- Dossena, M. 2006a. Forms of self-representation in nineteenth-century business letters. In: M. Dossena and I. Taavitsainen (eds.). *Diachronic Perspectives on Domain-Specific English*. Bern: Peter Lang, 173-190.
- Dossena, M. 2006b. Stance and authority in nineteenth-century bank correspondence – a case study. In: M. Dossena and S. M. Fitzmaurice (eds.). *Business and Official Correspondence: Historical Investigations*. Bern: Peter Lang, 175-192.
- Dossena, M. 2007. "As this leaves me at present" – formulaic usage, politeness, and social proximity in nineteenth-century Scottish emigrants' letters. In: S. Elspass, N. Langer, J. Scharloth and W. Vandenbussche (eds.). *Germanic Language Histories 'from Below' (1700-2000)*. Berlin: De Gruyter, 13-29.
- Dossena, M. 2008. Prescriptivism a century ago: Business correspondence taught to emigrants – a case study. In: J. C. Beal, C. Nocera and M. Sturiale (eds.). *Perspectives on Prescriptivism*. Bern: Peter Lang, 41-58.

- Dossena, M. 2012. The study of correspondence: Theoretical and methodological issues. In: M. Dossena and G. Del Lungo Camiciotti (eds.). *Letter Writing in Late Modern Europe*. Amsterdam/Philadelphia: John Benjamins, 13-29.
- DOST = *Dictionary of the Older Scottish Tongue*. 2004/2014. University of Dundee / University of Glasgow. Available at: <http://www.dsl.ac.uk/>. Accessed: 26 February 2015.
- Doty, K. L. 2007. Telling tales: The role of scribes in constructing the discourse of the Salem witchcraft trials. *Journal of Historical Pragmatics* 8:1, 25-41.
- Doty, K. L. 2010. Courtroom discourse. In: A. H. Jucker and I. Taavitsainen (eds.). *Historical Pragmatics*. Berlin/New York: De Gruyter Mouton, 621-650.
- Dürscheid, C. 2007. Private, nicht-öffentliche und öffentliche Kommunikation im Internet. *Neue Beiträge zur Germanistik* 6:4, 22-41.
- Eelen, G. 2001. *A Critique of Politeness Theories*. Manchester/Northampton: St. Jerome Publishing.
- Evans, M. 2013. *Aspects of the Idiolect of Queen Elizabeth I: A Diachronic Study on Sociolinguistic Principles*. Oxford: Wiley-Blackwell.
- Fairclough, N. 1989. *Language and Power*. London/New York: Longman.
- Fitzmaurice, S. M. 2000. *The Spectator*, the politics of social networks, and language standardisation in eighteenth century England. In: L. Wright (ed.). *The Development of Standard English 1300-1800*. Cambridge: CUP, 195-218.
- Fitzmaurice, S. M. 2002a. *The Familiar Letter in Early Modern English: A Pragmatic Approach*. Amsterdam: John Benjamins.
- Fitzmaurice, S. M. 2002b. Politeness and modal meaning in the construction of humiliating discourse in an early eighteenth-century network of patron-client relationships. *English Language and Linguistics* 6:2, 239-265.
- Fitzmaurice, S. M. 2002c. Servant or patron? Jacob Tonson and the language of deference and respect. *Language Sciences* 24:3-4, 247-260.
- Fitzmaurice, S. M. 2006. Information, power, and persuasion in Late Modern English diplomatic correspondence. In: M. Dossena and S. Fitzmaurice (eds.). *Business and Official Correspondence: Historical Investigations*. Bern: Peter Lang, 77-106.
- Fitzmaurice, S. M. 2008. Epistolary identity: Convention and idiosyncrasy in Late Modern English letters. In: M. Dossena and I. Tieken-Boon van Ostade (eds.). *Studies in Late Modern English Correspondence*. Bern: Peter Lang, 77-112.
- Fitzmaurice, S. M. 2010. Changes in the meanings of politeness in eighteenth-century England: Discourse analysis and historical evidence. In: J. Culpeper and D. Z. Kádár (eds.). *Historical (Im)politeness*. Bern: Peter Lang, 87-115.
- Fleming, D. H. (ed.). 1889-90. *Register of the Minister Elders and Deacons of the Christian Congregation of St. Andrews Comprising the Proceedings of the Kirk Session and of the Court of the Superintendent of Fife Fothrik and Strathearn. 1559-1600*. Edinburgh: Scottish History Society.
- Fraser, B. 1998. Threatening revisited. *Forensic linguistics* 5:2, 159-173.
- Fraser, B. 2005. Whither politeness. In: R. T. Lakoff and S. Ide (eds.). *Broadening the Horizon of Linguistic Politeness*. Amsterdam/Philadelphia: John Benjamins, 65-83.
- Fraser, B. and W. Nolen. 1981. The association of deference with linguistic form. *International Journal of the Sociology of Language* 27, 93-109.
- Gibson, A. J. S. and T. C. Smout. 1995. *Prices, Food and Wages in Scotland 1550-1780*. Cambridge: CUP.
- Gillon, S. A. (ed.). 1953. *Selected Justiciary Cases 1624-1650*. Edinburgh: Stair Society.
- GNV = *1599 Geneva Bible*. 2006. Dallas: Tolle Lege Press. Available at: <https://www.biblegateway.com/versions/1599-Geneva-Bible-GNV/>. Accessed: 21 December 2014.

- Goffman, E. 1963. *Behaviour in Public Places: Notes on the Social Organization of Gatherings*. New York: The Free Press.
- Goffman, E. 1967. *Interaction Rituals: Essays on Face-to-Face Behavior*. Chicago: Aldine.
- Goffman, E. 1971. *Relations in Public: Microstudies of the Public Order*. New York: Basic Books.
- Goffman, E. 1981. *Forms of Talk*. Oxford: Blackwell.
- Goldenbaum, U. 2011. Sovereignty and obedience. In: D. M. Clarke and C. Wilson (eds.). *The Oxford Handbook of Philosophy in Early Modern Europe*. Oxford: OUP, 500-521.
- Goodare, J. 1999. *State and Society in Early Modern Scotland*. Oxford: OUP.
- Goodare, J. 2000. Scottish politics and the reign of James VI. In: J. Goodare and M. Lynch (eds.). *The Reign of James VI*. East Linton: Tuckwell Press, 32-54.
- Gowing, L. 1996. *Domestic Dangers: Women, Words, and Sex in Early Modern London*. Oxford: Clarendon Press.
- Graham, M. 1996. *The Uses of Reform: 'Godly discipline' and Popular Behavior in Scotland and Beyond, 1560-1610*. Leiden: Brill.
- Greenblatt, S. 2005. *Renaissance Self-Fashioning: From More to Shakespeare*. Chicago/London: University of Chicago Press.
- Grice, P. 1989. Logic and conversation. In: P. Grice (ed.). *Studies in the Way of Words*. Cambridge, Mass.: Harvard University Press, 22-40.
- Grund, P. 2007. From tongue to text: The transmission of the Salem witchcraft examination records. *American Speech* 82:2, 119-150.
- Gu, Y. 1990. Politeness phenomena in Modern Chinese. *Journal of Pragmatics* 14, 237-257.
- Habermas, J. 1990 [1962]. *Strukturwandel der Öffentlichkeit: Untersuchungen zu einer Kategorie der bürgerlichen Gesellschaft*. New edition (Neuaufgabe) Frankfurt am Main: Suhrkamp.
- Hahn, J.-W. and H. Hatfield. 2011. Group face in Korea and the United States: Taking responsibility for the individual and the group. *Multilingua* 30, 25-70.
- Hatfield, H. and J.-W. Hahn. 2014. The face of others: Triadic and dyadic interactions in Korea and the United States. *Journal of Politeness Research* 10:2, 221-245.
- Haugh, M. 2007. The discursive challenge to politeness research: An interactional alternative. *Journal of Politeness Research* 3, 295-317.
- Haugh, M. 2013. Disentangling face, facework and im/politeness. *Sociocultural Pragmatics* 1:1, 1-28.
- Hickerson, N. P. 2000. *Linguistic Anthropology*. Fort Worth: Harcourt.
- Hill, B., S. Ide, S. Ikuta, A. Kawasaki and T. Ogino. 1986. Universals of Linguistic Politeness: Quantitative Evidence from Japanese and American English. *Journal of Pragmatics* 10, 347-371.
- Hope, J. 1993. Second person singular pronouns in records of Early Modern 'spoken' English. *Neuphilologische Mitteilungen* 94, 83-100.
- HTOED = *Historical Thesaurus of the OED*. 2009. Oxford: OUP. Available at: <http://www.oed.com/thesaurus> See also <http://historicalthesaurus.arts.gla.ac.uk/>. Accessed: 21 December 2014.
- Hymes, D. 1972. Models of the interaction of language and social life. In: J. J. Gumperz and D. Hymes (eds.). *Directions in Sociolinguistics: The Ethnography of Communication*. New York: Holt, Rinehart and Winston, 35-71.
- Ide, S. 1989. Formal forms and discernment: Two neglected aspects of universals of linguistic politeness. *Multilingua* 8:2/3, 223-248.

- Jacobs, A. and A. H. Jucker. 1995. The historical perspective in pragmatics. In: A. H. Jucker (ed.). *Historical Pragmatics: Pragmatic Developments in the History of English*. Amsterdam: John Benjamins, 3-33.
- Jay, T. 2009. The utility and ubiquity of taboo words. *Perspectives on Psychological Science* 4:2, 153-161.
- Johnson, A. and R. Clifford. 2011. Polite incivility in defensive attack: Strategic politeness and impoliteness in cross-examination in the *David Irving vs. Penguin Books Ltd and Deborah Lipstadt* trial. *Journal of Politeness Research* 7, 43-71.
- Jones, C. 2002. *The English Language in Scotland: An Introduction to Scots*. East Linton: Tuckwell.
- Jucker, A. H. (ed.). 1995. *Historical Pragmatics: Pragmatic Developments in the History of English*. Amsterdam: John Benjamins.
- Jucker, A. H. 2000a. English historical pragmatics: Problems of data and methodology. In: G. Di Martino and M. Lima (eds.). *English Diachronic Pragmatics*. Napoli: CUEN, 17-55.
- Jucker, A. H. 2000b. Slanders, slurs and insults on the road to Canterbury: Forms of verbal aggression in Chaucer's *Canterbury Tales*. In: I. Taavitsainen, T. Nevalainen, P. Pahta and M. Rissanen (eds.). *Placing Middle English in Context*. Berlin: Mouton de Gruyter, 369-389.
- Jucker, A. H. 2009. Speech act research between armchair, field and laboratory: The case of compliments. *Journal of Pragmatics* 41:8, 1611-1635.
- Jucker, A. H. 2010. 'In curteisie was set ful muchel hir lest': Politeness in Middle English. In: J. Culpeper and D. Z. Kádár (eds.). *Historical (Im)politeness*. Bern: Peter Lang, 9-36.
- Jucker, A. H. 2011. Positive and negative face as descriptive categories in the history of English. *Journal of Historical Pragmatics* 12:1-2, 178-197.
- Jucker, A. H. 2012. Changes in politeness cultures. In: T. Nevalainen and E. Traugott (eds.). *The Oxford Handbook of the History of English*. New York: OUP, 422-433.
- Jucker, A. H. and I. Taavitsainen. 2000. Diachronic speech act analysis. Insults from flyting to flaming. *Journal of Historical Pragmatics* 1:1, 67-95.
- Jucker, A. H. and I. Taavitsainen. 2003. Diachronic perspectives on address term systems: Introduction. In: A. H. Jucker and I. Taavitsainen (eds.). *Diachronic Perspectives on Address Term Systems*. Amsterdam/Philadelphia: John Benjamins, 1-25.
- Jucker, A. H. and I. Taavitsainen (eds.). 2010. *Historical Pragmatics*. Berlin/New York: De Gruyter Mouton.
- Jucker, A. H. and I. Taavitsainen. 2013. *English Historical Pragmatics*. Edinburgh: Edinburgh University Press.
- Juhala, A. L. 2000. The Household and Court of King James VI of Scotland, 1567-1603. University of Edinburgh: Unpublished PhD Thesis.
- Kádár, D. Z. 2010. Exploring the historical Chinese polite denigration/elevation phenomenon. In: J. Culpeper and D. Z. Kádár (eds.). *Historical (Im)politeness*. Bern: Peter Lang, 117-145.
- Kádár, D. Z. and J. Culpeper. 2010. Historical (im)politeness: An introduction. In: J. Culpeper and D. Z. Kádár (eds.). *Historical (Im)politeness*. Bern: Peter Lang, 9-36.
- Kádár, D. Z. and M. Haugh. 2013. *Understanding Politeness*. Cambridge: CUP.
- Kádár, D. Z., M. Haugh and W.-L. M. Chang. 2013. Aggression and perceived national face threats in Mainland Chinese and Taiwanese CMC discussion boards. *Multilingua* 32:3, 343-372.
- Kakavá, C. 2001. Discourse and conflict. In: D. Schiffrin, D. Tannen and H. E. Hamilton (eds.). *The Handbook of Discourse Analysis*. London: Blackwell, 650-670.
- Kantorowicz, E. H. 1957. *The King's Two Bodies: A Study in Medieval Political Theology*. Princeton: Princeton University Press.

- Kay, C., J. Roberts, M. Samuels and I. Wotherspoon (eds.). 2009. *Historical Thesaurus of the Oxford English Dictionary: With Additional Material from a Thesaurus of Old English*. Oxford: OUP.
- Keay, J. and J. Keay (eds.). 2000. *Collins Encyclopedia of Scotland*. London: HarperCollins.
- Kennedy, C. 2012. Criminal law and religion in post-Reformation Scotland. *The Edinburgh Law Review* 16:2, 178-197.
- King, J. 2010. The role of power and solidarity in politeness theory: The case of Golden Age Spanish. In: J. Culpeper and D. Z. Kádár (eds.). *Historical (Im)politeness*. Bern: Peter Lang, 231-263.
- Koch, P. and W. Oesterreicher. 1985. Sprache der Nähe - Sprache der Distanz: Mündlichkeit und Schriftlichkeit im Spannungsfeld von Sprachtheorie und Sprachgeschichte. *Romanistisches Jahrbuch* 36, 15-43.
- Kohnen, T. 2007. Text types and the methodology of diachronic speech act analysis. In: S. M. Fitzmaurice and I. Taavitsainen (eds.). *Methods in Historical Pragmatics*. Berlin/New York: Mouton de Gruyter, 139-166.
- Kohnen, T. 2008. Linguistic politeness in Anglo-Saxon England? A study of Old English address terms. *Journal of Historical Pragmatics* 9:1, 140-158.
- Kohnen, T. 2011. Understanding Anglo-Saxon "politeness": Directive constructions with *ic wille / ic wolde*. *Journal of Historical Pragmatics* 12:1-2, 230-254.
- Kopaczyk, J. 2013. *The Legal Language of Scottish Burghs: Standardization and Lexical Bundles (1380-1560)*. Oxford: OUP.
- Kopytko, R. 1995. Linguistic politeness strategies in Shakespeare's plays. In: A. H. Jucker (ed.). *Historical Pragmatics: Pragmatic Developments in the History of English*. Amsterdam/Philadelphia: John Benjamins, 515-540.
- Kytö, M., P. Grund and T. Walker. 2011. *Testifying to Language and Life in Early Modern England*. Amsterdam/Philadelphia: John Benjamins.
- Kytö, M. and T. Walker. 2003. The linguistic study of Early Modern English speech-related texts. How 'bad' can 'bad' data be? *Journal of English Linguistics* 31:3, 221-248.
- Kytö, M. and T. Walker. 2006. *Guide to A Corpus of English Dialogues 1560-1760*. Uppsala: Uppsala Universitet.
- Labov, W. 1994. *Principles of Language Change. Vol. 1: Internal Factors*. Oxford: Blackwell.
- Lachenicht, L. G. 1980. Aggravating language: A study of abusive and insulting language. *Papers in Linguistics: International Journal of Human Communication* 13:4, 607-687.
- Lakoff, R. T. 1973. The logic of politeness; or, minding your p's and q's. In: C. Corum, T. C. Smith-Stark and A. Weiser (eds.). *Papers from the Ninth Regional Meeting Chicago Linguistic Society*. Chicago: Chicago Linguistic Society, 292-305.
- Lakoff, R. T. 1990. *Talking Power: The Politics of Language in Our Lives*. New York: Basic Books.
- Landert, D. 2014. *Personalisation in Mass Media Communication. British Online News between Public and Private*. Amsterdam/Philadelphia: John Benjamins.
- Landert, D. and A. H. Jucker. 2011. Private and public in mass media communication: From letters to the editor to online commentaries. *Journal of Pragmatics* 43:5, 1422-1434.
- Lass, R. 2004. Ut custodiant litteras: Editions, corpora and witnesshood. In: M. Dossena and R. Lass (eds.). *Methods and Data in English Historical Dialectology*. Bern: Peter Lang, 21-48.
- Lê, M. 2005. Privacy. In: R. T. Lakoff and S. Ide (eds.). *Broadening the Horizon of Linguistic Politeness*. Amsterdam/Philadelphia: John Benjamins, 275-282.

- Lee, M. J. 1959. *John Maitland of Thirlestane and the Foundation of Stewart Despotism in Scotland*. Princeton: Princeton University Press.
- Leech, G. 1983. *Principles of Pragmatics*. London/New York: Longman.
- Leech, G. 2007. Politeness: Is there an East-West divide? *Journal of Politeness Research* 3, 167-206.
- Leech, G. 2014. *The Pragmatics of Politeness*. Oxford: OUP.
- Leech, G. and M. Short. 2007. *Style in Fiction. A Linguistic Introduction to English Fictional Prose*. 2nd edition Harlow: Pearson Longman.
- Leitner, M. 2010. *Thou and You in Late Middle Scottish and Early Modern Northern English Witness Depositions*. University of Zurich: Unpublished Masters Thesis.
- Leitner, M. 2013. *Thou and you in Late Middle Scottish and Early Modern Northern English witness depositions*. *Journal of Historical Pragmatics* 14:1, 100-129.
- Leitner, M. 2014. *Crabit or offended? Words in conflicts in Scotland's past*. *Scottish Language Dictionaries Newsletter*, Spring. Available at: http://www.scotsdictionaries.org.uk/Publications/Newsletters/sldNewsletter_0514/index.html Accessed: 26 November 2014.
- Levinson, S. 1988. Putting linguistics on a proper footing: Explorations in Goffman's concepts of participation. In: P. Drew and A. Wootton (eds.). *Erving Goffman: Exploring the Interaction Order*. Cambridge: Polity Press, 161-227.
- Levorato, A. 2009. "From you, my Lord, profession are but words – they are so much bait for fools to catch at": Impoliteness strategies in the 1797-1800 Act of Union pamphlet debate. In: A. H. Jucker (ed.). *Early Modern English News Discourse*. Amsterdam/Philadelphia: John Benjamins, 159-185.
- Limberg, H. 2009. Impoliteness and threat responses. *Journal of Pragmatics* 41:7, 1376-1394.
- Lindsay, D. 1602 [1552]. *Any Pleasant Satyre of the Thrie Estaitis*. Edinburgh: Robert Charteris.
- Locher, M. A. 2004. *Power and Politeness in Action: Disagreements in Oral Communication*. Berlin: Mouton de Gruyter.
- Locher, M. A. 2006. Polite behaviour within relational work: The discursive approach to politeness. *Multilingua* 25, 249-267.
- Locher, M. A. and D. Bousfield. 2008. Introduction: Impoliteness and power in language. In: D. Bousfield and M. A. Locher (eds.). *Impoliteness in Language: Studies on Its Interplay with Power in Theory and Practice*. Berlin/New York: Mouton de Gruyter, 1-13.
- Locher, M. A. and R. J. Watts. 2005. Politeness theory and relational work. *Journal of Politeness Research* 1, 9-33.
- Lynch, M. 1992. *Scotland: A New History*. London: Pimlico.
- Macafee, C. 2002. A History of Scots to 1700. In: M. G. Dareau, L. Pike and H. D. Watson (eds.). *A Dictionary of the Older Scottish Tongue from the Twelfth Century to the End of the Seventeenth*. New York: OUP, xxiv-clvii.
- MacInnes, J. 1972. Clan unity and individual freedom. *Transactions of the Gaelic Society of Inverness* 47, 338-373.
- Malle, B. F. and J. Knobe. 1997. The folk concept of intentionality. *Journal of Experimental Social Psychology* 33, 101-121.
- Mateo, J. and F. Yus. 2013. Towards a cross-cultural pragmatic taxonomy of insults. *Journal of Language Aggression and Conflict* 1:1, 87-114.
- Matsumoto, Y. 1988. Reexamination of the universality of face: Politeness phenomena in Japanese. *Journal of Pragmatics* 12, 403-426.
- McEnery, T. 2006. The moral panic about bad language in England, 1691-1745. *Journal of Historical Pragmatics* 7:1, 89-113.

- Meurman-Solin, A. 1993. *Variation and Change in Early Scottish Prose: Studies Based on the Helsinki Corpus of Older Scots*. Helsinki: Suomalainen Tiedekatemia.
- Mills, S. 2003. *Gender and Politeness*. Cambridge: CUP.
- Mills, S. 2011. Discursive approaches to politeness and impoliteness. In: L. P. R. Group (ed.). *Discursive Approaches to Politeness*. Berlin/Boston: De Gruyter Mouton, 19-56.
- Milroy, L. 1980. *Language and Social Networks*. 1st ed. Oxford: Blackwell.
- Milroy, L. 2000. Social network analysis and language change: Introduction. *European Journal of English Studies* 4:3, 217-223.
- Moore, C. 2002. Reporting direct speech in early modern slander depositions. In: D. Minkova and R. Stockwell (eds.). *Studies in the History of the English Language: A Millennial Perspective*. Berlin/New York: Mouton de Gruyter, 399-416.
- Mueller Dobs, A. and P. Garcés-Conejos Blitvich. 2013. Impoliteness in polylogal interaction: Accounting for face-threat witnesses' responses. *Journal of Pragmatics* 57, 112-130.
- Mueller, J. 2000. "To my very good brother the King of Scots": Elizabeth I's correspondence with James VI and the question of the succession. *PMLA* 115:5, 1063-1071.
- Mullany, L. 2011. Frontstage and backstage: Gordon Brown, the "bigoted woman" and im/politeness in the 2010 UK General Election. In: P. R. G. Linguistic (ed.). *Discursive Approaches to Politeness*. Berlin/Boston: De Gruyter Mouton, 133-165.
- Murison, D. 1979. The historical background. In: A. J. Aitken and T. McArthur (eds.). *Languages in Scotland*. Edinburgh: Chambers, 2-13.
- Nevala, M. 2003. Family first: Address and subscription formulae in English family correspondence from the fifteenth to the seventeenth century. In: I. Taavitsainen and A. H. Jucker (eds.). *Diachronic Perspectives on Address Term Systems*. Amsterdam/Philadelphia: John Benjamins, 147-176.
- Nevala, M. 2004a. Accessing politeness axes: forms of address and terms of reference in early English correspondence. *Journal of Pragmatics* 36, 2125-2160.
- Nevala, M. 2004b. *Address in Early English Correspondence: Its Forms and Socio-Pragmatic Functions*. Helsinki: Société Néophilologique.
- Nevala, M. 2004c. Inside and out: Forms of address in seventeenth- and eighteenth-century letters. *Journal of Historical Pragmatics* 5:2, 271-296.
- Nevalainen, T. 1994. Ladies and gentlemen: The generalization of titles in Early Modern English. In: F. Fernández, M. Fuster and J. J. Calvo (eds.). *English Historical Linguistics 1992. Papers from the Seventh International Conference on English Historical Linguistics Valencia, 22-26 September 1992*. Amsterdam: John Benjamins, 317-328.
- Nevalainen, T. and H. Raumolin-Brunberg. 1995. Constraints on politeness: The pragmatics of address formulae in early English correspondence. In: A. H. Jucker (ed.). *Historical Pragmatics: Pragmatic Developments in the History of English*. Amsterdam: John Benjamins, 541-601.
- Nevalainen, T. and H. Raumolin-Brunberg. 2003. *Historical Sociolinguistics: Language Change in Tudor and Stuart England*. London: Longman Pearson.
- O'Driscoll, J. 2007. What's in an FTA? Reflections on a chance meeting with Claudine. *Journal of Politeness Research* 3:2, 1-32.
- O'Driscoll, J. 2011. Some issues with the concept of face. In: F. Bargiela-Chiappini and D. Z. Kádár (eds.). *Politeness across Cultures*. Basingstoke: Macmillan, 17-41.
- ODNB = *Oxford Dictionary of National Biography*. 2011. Oxford: OUP. Available at: <http://www.oxforddnb.com/>. Accessed: 27 November 2014.
- OED = *Oxford English Dictionary*. 1899-2014. Oxford: OUP. Available at: <http://www.oed.com/>. Accessed: 26 February 2015.

- Pallander-Collin, M. 2010. Correspondence. In: A. H. Jucker and I. Taavitsainen (eds.). *Historical Pragmatics*. Berlin/New York: De Gruyter Mouton, 651-677.
- Pitcairn, R. (ed.). 1833. *Criminal Trials in Scotland from 1488 to 1624*. CD-ROM. Burlington, Canada: TannerRitchie Publishing.
- Putnam, L. L. 2006. Definitions and approaches to conflict and communication. In: J. G. Oetzel and S. Ting-Toomey (eds.). *The SAGE Handbook of Conflict Communication*. London: Sage, 1-32.
- Raumolin-Brunberg, H. 1996. Forms of address in early English correspondence. In: T. Nevalainen and H. Raumolin-Brunberg (eds.). *Sociolinguistics and Language History: Studies Based on the Corpus of Early English Correspondence*. Amsterdam/Atlanta: Rodopi, 167-181.
- Rosenthal, B., G. A. Adams, M. Burns, P. Grund, R. Hiltunen, L. Kahlas-Tarkka, M. Kytö, M. Peikola, B. C. Ray, M. Rissanen and M. K. Roach (eds.). 2009. *Records of the Salem Witch-Hunt*. Cambridge: CUP.
- Sairio, A. and G. T. Williams. 2012. Ironical insults as in-group bonding: A diachronic investigation, c.1400-1800. *International Conference of English Historical Linguistics 17 (ICEHL-17)*. University of Zurich, 20-25 August 2012.
- Scanlan, J. D. 1958. Husband and wife – pre-Reformation canon law of marriage. In: L. Normand (ed.). *An Introduction to Scottish Legal History*. Edinburgh: Stair Society, 69-81.
- Schilling, H. 1987. 'History of crime' or 'history of sin'? - Some reflections on the social history of early modern church discipline. In: E. I. Kouri and T. Scott (eds.). *Politics and Society in Reformation Europe: Essays for Sir Geoffrey Elton on His Sixty-Fifth Birthday*. Houndmills, Basingstoke: Macmillan, 289-310.
- Searle, J. R. 1993. *Expression and Meaning: Studies in the Theory of Speech Acts*. Cambridge: CUP.
- Searle, J. R. and D. Vanderveken. 1985. *Foundations of Illocutionary Logic*. Cambridge: CUP.
- Simpson, G. G. 2000. The personal letters of James VI: A short commentary. In: J. Goodare and M. Lynch (eds.). *The Reign of James VI*. East Linton: Tuckwell Press, 141-153.
- Smith, J. I. 1958. Criminal procedure. In: L. Normand (ed.). *An Introduction to Scottish Legal History*. Edinburgh: Stair Society, 426-448.
- Smith, J. I. (ed.). 1972. *Selected Justiciary Cases 1624-1650*. 2nd Vol. Edinburgh: Stair Society.
- Smith, J. I. (ed.). 1974. *Selected Justiciary Cases 1624-1650*. 3rd Vol. Edinburgh: Stair Society.
- Smith, J. I. and I. MacDonald. 1958. Criminal law. In: L. Normand (ed.). *An Introduction to Scottish Legal History*. Edinburgh: Stair Society, 280-301.
- Smith, J. J. 2012a. The historiography of the English language. In: A. Bergs and L. Brinton (eds.). *English Historical Linguistics: An International Handbook*. Berlin: Mouton de Gruyter, 1295-1312.
- Smith, J. J. 2012b. *Older Scots: A Linguistic Reader*. Edinburgh: The Scottish Text Society.
- Smith, J. J. 2013. Notes on the language of letters by Archibald Campbell, Lord Ilay (1682-1761). In: W. Anderson (ed.). *Language in Scotland: Corpus-Based Studies*. Amsterdam: Rodopi, 27-44.
- Smith, J. J. Forthcoming. The condemnation of the Earl of Bothwell. *Huntington Library Quarterly*.
- SND = *Scottish National Dictionary*. 1976/2005. Edinburgh: Scottish National Dictionary Association. Available at: <http://www.dsl.ac.uk/>. Accessed: 28 November 2014.
- Sommerville, J. P. (ed.). 1994. *King James VI and I: Political Writings*. Cambridge: CUP.

- Spencer-Oatey, H. 1996. Reconsidering power and distance. *Journal of Pragmatics* 26, 1-24.
- Spencer-Oatey, H. (ed.). 2002a. *Culturally Speaking: Managing Rapport through Talk across Cultures*. London/New York: Continuum.
- Spencer-Oatey, H. 2002b. Managing rapport in talk: Using rapport sensitive incidents to explore the motivational concerns underlying the management of relations. *Journal of Pragmatics* 34, 529-545.
- Spencer-Oatey, H. 2005. (Im)politeness, face and perceptions of rapport: Unpackaging their bases and interrelationships. *Journal of Politeness Research* 1, 95-119.
- Spencer-Oatey, H. 2007. Theories of identity and the analysis of face. *Journal of Pragmatics* 39, 639-656.
- Spencer-Oatey, H. 2009. Face, identity and interactional goals. In: F. Bargiela-Chiappini and M. Haugh (eds.). *Face, Communication and Social Interaction*. London: Equinox, 137-154.
- Spencer-Oatey, H. 2011. Conceptualising 'the relational' in pragmatics: Insights from metapragmatic emotion and (im)politeness comments. *Journal of Pragmatics* 43:14, 3565-3578.
- Spencer-Oatey, H. 2013a. Further reflections on 'relating' and 'face'. A response to Arundale, Carbaugh and Locher. *Journal of Pragmatics* 58, 149-151.
- Spencer-Oatey, H. 2013b. The pragmatics of 'relating' across cultures. *The Lancaster Pragmatics Summer School: 30 Years of Pragmatics at Lancaster*. University of Lancaster, 13-14 July 2013.
- Stewart, A. 2003. *The Cradle King: A Life of James VI and I*. London: Chatto & Windus.
- Stuart, J. (ed.). 1846. *Selections from the Records of the Kirk Session, Presbytery, and Synod of Aberdeen*. Aberdeen: Spalding Club.
- Syme, H. S. 2012. *Theatre and Testimony in Shakespeare's England: A Culture of Mediation*. Cambridge: CUP.
- Taavitsainen, I. and S. M. Fitzmaurice. 2007. Historical pragmatics: What it is and how to do it. In: S. M. Fitzmaurice and I. Taavitsainen (eds.). *Methods in Historical Pragmatics*. Berlin/New York: Mouton de Gruyter, 11-36.
- Taavitsainen, I. and A. H. Jucker. 2007. Speech act verbs and speech acts in the history of English. In: S. M. Fitzmaurice and I. Taavitsainen (eds.). *Methods in Historical Pragmatics*. Berlin: Mouton de Gruyter, 107-138.
- Taavitsainen, I. and A. H. Jucker. 2008a. "Methinks you seem more beautiful than ever": Compliments and gender in the history of English. In: A. H. Jucker and I. Taavitsainen (eds.). *Speech Acts in the History of English*. Amsterdam/Philadelphia: John Benjamins, 195-228.
- Taavitsainen, I. and A. H. Jucker. 2008b. Speech acts now and then. Towards a pragmatic history of English. In: A. H. Jucker and I. Taavitsainen (eds.). *Speech Acts in the History of English*. Amsterdam/Philadelphia: John Benjamins, 1-23.
- Taavitsainen, I. and A. H. Jucker. 2010. Trends and developments in historical pragmatics. In: A. H. Jucker and I. Taavitsainen (eds.). *Historical Pragmatics*. Berlin/New York: De Gruyter Mouton, 3-30.
- Terkourafi, M. 2005. Beyond the micro-level in politeness research. *Journal of Politeness Research* 1, 237-262.
- Terkourafi, M. 2008. Toward a unified theory of politeness, impoliteness, and rudeness. In: D. Bousfield and M. A. Locher (eds.). *Impoliteness in Language: Studies on Its Interplay with Power in Theory and Practice*. Berlin/New York: Mouton de Gruyter, 45-74.
- Thomas, A. 2012. The Renaissance. In: T. M. Devine and J. Wormald (eds.). *The Oxford Handbook of Modern Scottish History*. Oxford: OUP, 185-203.
- Thomas, J. 1995. *Meaning in Interaction*. London/New York: Longman.

- Tieken-Boon van Ostade, I. 1999. Of formulas and friends: Expressions of politeness in John Gay's letters. In: G. A. J. Tops, B. Devriendt and S. Geukens (eds.). *Thinking English Grammar: To Honour Xavier Dekeyser*. Leuven/Paris: Peeters, 99-112.
- Tieken-Boon van Ostade, I. 2010. Communicative competence and the language of eighteenth-century letters. In: N. Brownlees, G. Del Lungo Camiciotti and J. Denton (eds.). *The Language of Public and Private Communication in a Historical Perspective*. Newcastle upon Tyne: Cambridge Scholars Publishing, 24-45.
- Todd, M. 2002. *The Culture of Protestantism in Early Modern Scotland*. New Haven: Yale University Press.
- Todd, M. (ed.). 2012. *The Perth Kirk Session Books 1577-1590*. Woodbridge, Suffolk: Scottish History Society.
- Vangelisti, A. L. and S. L. Young. 2000. When words hurt: The effects of perceived intentionality on interpersonal relationships. *Journal of Social and Personal Relationships* 17, 393-424.
- Wagner, J. A. and S. Walters Schmid (eds.). 2012. *Encyclopedia of Tudor England*. Santa Barbara: ABC-CLIO.
- Walker, D. 1995. *A Legal History of Scotland: The Sixteenth Century*. Edinburgh: T. & T. Clark Ltd.
- Walker, D. 1996. *A Legal History of Scotland: The Seventeenth Century*. Edinburgh: T. & T. Clark Ltd.
- Walker, D. M. 1958. Evidence. In: L. Normand (ed.). *An Introduction to Scottish Legal History*. Edinburgh: Stair Society, 302-318.
- Walker, T. 2007. *Thou and You in Early Modern English Dialogues: Trials, Depositions, and Drama Comedy*. Amsterdam/Philadelphia: John Benjamins.
- Watts, R. J. 1992. Linguistic politeness and politic verbal behaviour: Reconsidering claims for universality. In: R. J. Watts, S. Ide and K. Ehlich (eds.). *Politeness in Language: Studies in its History, Theory and Practice*. Berlin/New York: Mouton de Gruyter, 43-69.
- Watts, R. J. 2003. *Politeness*. Cambridge: CUP.
- Watts, R. J. 2011. A socio-cognitive approach to historical politeness. *Journal of Historical Pragmatics* 12:1-2, 104-132.
- Watts, R. J., S. Ide and K. Ehlich (eds.). 1992. *Politeness in Language: Studies in its History, Theory and Practice*. Berlin/New York: Mouton de Gruyter.
- Weintraub, J. 1997. The theory and politics of the public/private distinction. In: J. Weintraub and K. Kumar (eds.). *Public and Private in Thought and Practice*. Chicago/London: University of Chicago Press, 1-42.
- Whyte, I. D. 1995. *Scotland before the Industrial Revolution: An Economic and Social History c. 1050-c. 1750*. London/New York: Longman.
- Whyte, I. D. 1997. *Scotland's Society and Economy in Transition, c.1500-c.1760*. Basingstoke: Macmillan.
- Williams, G. 2010. "troubled with a tedious discours": Sincerity, sarcasm and seriousness in the letters of Maria Thynne, c. 1601-1610. *Journal of Historical Pragmatics* 11:2, 169-193.
- Williams, G. 2012. Searching for verbal irony in historical corpora: A pilot study of *mock* and *scorn* in the *Corpus of Middle English Prose and Verse*. In: C. Suhr and I. Taavitsainen (eds.). *Studies in Variation, Contacts and Change in English: Developing Corpus Methodology for Historical Pragmatics*. Helsinki: VARIENG, University of Helsinki. Available at: <http://www.helsinki.fi/varieng/series/volumes/11/williams/>. Accessed: 21 December 2014.
- Williams, G. T. 2013. *Women's Epistolary Utterance: A Study of the Letters of Joan and Maria Thynne, 1575-1611*. Amsterdam/Philadelphia: John Benjamins.

- Wormald, J. 1991. James VI and I, *Basilikon Doron* and *The Trew Law of Free Monarchies*: The Scottish context and the English translation. In: L. L. Peck (ed.). *The Mental World of the Jacobean Court*. Cambridge: CUP, 36-54.
- Wright (now Fitzmaurice), S. M. 1989. Private language made public: The language of letters as literature. *Poetics* 18, 549-578.
- Wright, L. 2000. On the construction of some Early Modern English courtroom narratives. In: G. Di Martino and M. Lima (eds.). *English Diachronic Pragmatics*. Napoli: CUEN, 79-102.

